

cunne. **I**c bið ðe eowleofan men · doð swa
 ic læne · hlystað swyðe georne · hwæt ic nu
 secge. **E**allum cnyrcnum mannum · is
 mycel þearf · þæt hi godes lage fyligan ·
 7 godcundre lare geornlice gýman · 7 husu

NORSE-DERIVED VOCABULARY IN LATE OLD ENGLISH TEXTS

WULFSTAN'S WORKS, A CASE STUDY

þing an gelome · 7 þið bocum 7 gebedum
 geornlice fyligan · 7 bodian 7 bysñian
 godes riht georne. **I** þið læran gelome
 swa hi geornost magan 7 gehaðode menn
 7 agollice libban · 7 læweð lahlice hreowalif
 fadian · to þearfe hamsýlfum. **I** geseht

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Norse-Derived Vocabulary in Late Old English Texts

Wulfstan's Works, a Case Study

Sara M. Pons-Sanz

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Sara M. Pons-Sanz
Nottingham, December 2006

ABBREVIATIONS

DICTIONARIES AND CORPORA

<i>BNC</i>	Online version of the <i>British National Corpus</i>
<i>CME</i>	Online version of the <i>Corpus of Middle English</i>
<i>DOE</i>	<i>Dictionary of Old English</i>
<i>MED</i>	<i>Middle English Dictionary</i>
<i>OEC</i>	Online version of the <i>Complete Corpus of Old English</i>
<i>OED</i>	<i>Oxford English Dictionary</i>
<i>ONP</i>	<i>Ordbog over det norrøne prosasprog</i>
<i>TOE</i>	<i>A Thesaurus of Old English</i>

LANGUAGES AND DIALECTS

AN	Anglo-Norman
Angl.	Anglian
eWS	early West Saxon
Fr.	French
Go.	Gothic
Gr.	Greek
Heb.	Hebrew
L	Latin
IWS	late West Saxon
MHG	Middle High German
ML	Medieval Latin
MLG	Middle Low German
MnE	Modern English
OCS	Old Church Slavonic
ODan.	Old Danish
OE	Old English
OEN	Old East Norse
OFris.	Old Frisian

ABBREVIATIONS

ON	Old Norse
OSw.	Old Swedish
OWN	Old West Norse
PGmc	Proto-Germanic
PIE	Proto-Indo-European
VAN	Viking Age Norse
WS	West Saxon

MANUSCRIPTS CONTAINING OLD NORSE LEGAL TEXTS

AM	Arnamagnæan Institute, Copenhagen
De la Gardie	Collection ‘De la Gardie’ at the University Library in Uppsala
E don. var.	Collection ‘E donatione variorum’ at the Royal Library in Copenhagen
Flensborg	Municipal Archive in Flensborg
GKS	Old Royal Collection at the Royal Library in Copenhagen
Ledreborg	Collection ‘Ledreborg’ at the Royal Library in Copenhagen
NKS	New Royal Collection at the Royal Library in Copenhagen
NRA	Norwegian Record Office in Oslo
Oslo	University Library in Oslo
Stockholm	Royal Library in Stockholm
Uppsala	Royal Academy Library in Uppsala
Uppsala Un.	University Library in Uppsala

OLD ENGLISH AND SCANDINAVIAN TEXTS

Æ	<i>Ærffpæ balker</i> ‘inheritance section’ in a Swedish law-code
Bj.	Bjarkøy laws, ed. <i>NGL</i>
<i>DGK</i>	<i>Danmarks gamle købstadlovgivning</i>
<i>DGL</i>	<i>Danmarks gamle landskabslove med kirkelovene</i>
<i>DR</i>	<i>Den danske rigslovgivning indtil 1400</i>
Eids.	The Christian laws of the Eidsivathing, ed. <i>NGL</i>
ESjL	Erik’s Zealandic Law, ed. <i>DGL</i>

ABBREVIATIONS

F	<i>Frið balker</i> ‘peace section’ in a Swedish law-code
Frost.	Law of the Frostathing, ed. <i>NGL</i>
Gul.	Law of the Gulathing, ed. <i>NGL</i>
HgL	Law of Hälsingland, ed. <i>SGL</i>
JL	Jutish Law, ed. <i>DGL</i>
Jn.	<i>Járnsíða</i> , ed. <i>NGL</i>
Ku.	<i>Kunungs balker</i> ‘king’s section’ in a Swedish law-code
LawCn 1018	Cnut’s law-code of 1018, ed. Kennedy (1983)
LawECf	<i>Leges Edwardi Confessoris</i> , ed. O’Brien (1999)
LawHn	<i>Leges Henrici Primi</i> , ed. Downer (1972)
LawLeisWl	<i>Leis Willelme</i> , ed. Liebermann (1903–16)
LawWlArt	William I, <i>Articles</i> , ed. Liebermann (1903–16)
LawWlLond	William I, writ for London, ed. Liebermann (1903–16)
M	<i>Manhálghis balker</i> ‘personal inviolability section’ in a Swedish law-code
MLL	Magnus the Law-mender’s rural law, ed. <i>NGL</i>
Nap *	Homilies edited by Napier (1883)
<i>NGL</i>	<i>Norges gamle love indtil 1387</i>
ÖgL	Law of Östergötland, ed. <i>SGL</i>
R	<i>Ræfsta balker</i> ‘punishment section’ in a Swedish law-code
Rl.	<i>Retlosa balker</i> ‘crime section’ in a Swedish law-code
S *	Anglo-Saxon charters, referred to by the number assigned by Sawyer (1968)
SdmL	Law of Södermanland, ed. <i>SGL</i>
<i>SGL</i>	<i>Codex iuris Sueo-Gotorum antiqui: Samling af Sweriges gamla lagar</i>
SkL	Law of Scania, ed. <i>DGL</i>
UL	Law of Uppland, ed. <i>SGL</i>
þ	<i>Þiufva Balker</i> ‘thievery section’ in a Swedish law-code
VmL	Law of Västmanland, ed. <i>SGL</i>
VgL I	‘Older version’ of the Law of Västergötland, ed. <i>SGL</i>

ABBREVIATIONS

VgL II	‘Younger version’ of the Law of Västergötland, ed. <i>SGL</i>
VSjL	Valdemar’s Zealandic Law, ed. <i>DGL</i>
WÆLet 2	Wulfstan’s revision of Ælfric’s first Pastoral Letter to Wulfstan in Old English, ed. Fehr (1966)

INTRODUCTION

Old Norse loans may only account for 2% of the vocabulary of Modern English, as calculated by Hug (1987:1), but their presence is so important that Jespersen could claim that '[a]n Englishman cannot *thrive* or be *ill* or *die* without Scandinavian words; they are to the language what *bread* and *eggs* are to the daily fare' (1982:§78). The Norse-derived vocabulary is so deeply integrated in the language that it has permeated even those grammatical categories less prone to borrowing, such as pronouns (e.g. MnE *they* < ON *þeir* 'they'), conjunctions (MnE *though* < ON *þó* 'though') and prepositions (MnE *till* < ON *til* 'to, till'). Though most of the Norse-derived terms are first recorded in Middle English texts, those attested in earlier texts constitute the second largest group of loans in Old English, the first consisting of terms borrowed from Latin (cp. Kastovsky 1992:320). Yet, very few studies have been devoted to an in-depth analysis of the Norse-derived vocabulary in Old English, with the important exception of works such as Hofmann's (1955) and Peters's (1981a and 1981b). The study of these terms, even as far as these works are concerned, has mainly revolved around the identification of the terms themselves and the contrast between their predominantly technical nature and the everyday character of those first attested during the Middle English period (e.g. Serjeantson 1935:62; Geipel 1971:62; Burnley 1992:414–23; Kastovsky 1992:332–36, and 2006:224 and 249; and Baugh & Cable 2002:99–100). In this respect, Fischer's (1989) article on the process of introduction and eventual domination of the loanword *lagu* 'lagu' over the native *ǣ(w)* stands out as an admirable exception.

INTRODUCTION

Not surprisingly, more than a decade ago Kastovsky started the section on ‘further reading’ for a chapter on Old English semantics and vocabulary complaining that

[s]o far, there have been no comprehensive studies of the OE vocabulary uniting the various aspects addressed in the present survey – loan words, dialectal, social and stylistic stratification of the vocabulary, word-formation and semantics (1992:407).

Unfortunately, not much has changed since these words were published. This book aims to begin to fill part of this void by focusing on the Norse-derived vocabulary in the works of Archbishop Wulfstan II of York (d. 1023). A considerable advantage derives from studying them because, unlike most Old English texts, they are closely dateable and, to a certain extent, localizable. Thus, they offer excellent material for the examination of the process of integration and accommodation of Norse-derived vocabulary in Old English.

Wulfstan’s works have received much less attention than those of his contemporary Abbot Ælfric of Eynsham (d. *ca*1010). Even though Orchard (2002:311–12) has noticed a revival in Wulfstan studies in recent years, Townend could still claim a few years ago that

[t]he presence of a body of Norse-derived loans in Wulfstan’s writings is a well-known feature [...] but there has been little attempt to examine them more closely or to account for their presence (2000:92).

Given the need for a thorough study of the Norse-derived terms in Wulfstan’s works, this book analyses their relations with their native synonyms, both from a semantic and a stylistic point of view, and their inclusion in the word-formation processes to which Wulfstan submitted his vocabulary, native and borrowed alike.

Chapter 1 presents an overview of the Wulfstanian canon and its stylistic features. Chapter 2 introduces the linguistic terminology used in the following chapters, and explains the procedural decisions behind the

INTRODUCTION

identification and characterization of the Norse-derived vocabulary in Wulfstan's works. In keeping with Kastovsky's (1992:320 and 332–36) and Peters's (1981b) classification, terms referring to legal institutions and practices, measurements and coins, warfare and social ranks are characterized as 'technical', while those belonging to other semantic fields are classified as 'miscellaneous'. This division becomes very useful when Wulfstan's vocabulary is compared with other Norse-derived material in Old and Middle English because the results of this comparison offer important data for the analysis of the reasons behind Wulfstan's lexical choices (see below, Chapter 7).

One of the features of Wulfstan's vocabulary which is most frequently mentioned by commentators is his strong preference for some terms over others, to such an extent that the appearance of Wulfstanian or non-Wulfstanian words is, in some cases, the determining factor for decisions on authorship. The favouring of the Norse-derived loanword *lagu* over the native *ǣ(w)* is one of his oft-mentioned eccentricities, albeit one which has not received thorough attention. This is the topic on which Chapter 3 focuses. It examines the integration of the loanword in Wulfstan's language as far as its syntagmatic and paradigmatic relationships with the other components of Wulfstan's lexis are concerned.

In his doctoral dissertation on the Old English words for 'peace' and 'protection', McKinney (1994:89) points out that 42% of all the *grið* word-field items in Old English appear only in texts attributed to Wulfstan. Given this impressive statistic, Chapter 4 leaves aside McKinney's assertion that it is only by moving away from Wulfstan's non-metaphoric use of this word-field that we will find 'increasing opportunities for interpretation, commentary, and rewarding semantic exploration' (1994:148). Chapter 4 does interpret, comment on and explore the occurrences of these terms in the Wulfstanian canon.

Chapter 5 presents a similar study of the remaining Norse-derived legal terms employed in the Wulfstanian canon, while Chapter 6 focuses on the non-legal Norse-derived words. Chapters 3–6 are organized according to the paradigmatic relations between the Norse-derived terms and the other members of their respective lexical fields. Since Chapters 5 and 6 deal with

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a larger number of word-fields, their arrangement is also based on the frequency of Wulfstan's use of Norse-derived terms.

Relying on the close study of the ways in which Wulfstan employed his Norse-derived vocabulary, Chapter 7 analyses the possible reasons for his selection of these terms. It concentrates on the information which they can provide about Wulfstan's dialectal origin and the perception which Wulfstan and Old English speakers in general may have had of these words. Since traditional explanations of the reasons for Wulfstan's selection of Norse-derived terms are here held to be inappropriate, alternative semantic, stylistic and extralinguistic factors are suggested.

Chapter 8 places Wulfstan's Norse-derived legal vocabulary in a wider context, and examines the influence which he had on later English usage. It concentrates on the legal terms because they constitute the majority of the borrowed vocabulary in the Wulfstanian canon. Furthermore, given that they occur more frequently than other Norse-derived terms, it is mainly through them that Wulfstan's idiosyncratic style becomes apparent.

Before the reader is directed to Chapter 1, some aspects of the terminology and abbreviations used in this book have to be clarified. The language spoken by the Scandinavians during the Viking Age is here called *Old Norse*, and only when it is necessary for the exposition are dialectal distinctions made (e.g. when discussing the different meanings of ON *úlqg*; see below, 3.3).¹ Consistently, the adjective associated with the linguistic influence arising from the contact between Old Norse and Old English speakers is *Norse-derived* (see below, 2.3.1), while *Scandinavianized* is reserved for cultural and ethnographic influence.

Title abbreviations and editions of Old English texts generally follow the guidelines of the online version of the *Complete Corpus of Old English* compiled at the University of Toronto (hereafter *OEC*). Therefore, they have not been included in the list of abbreviations or the bibliography unless the edition is specifically mentioned, or the text or the abbreviation referred to is not included in *OEC*. Slight modifications have been introduced for the sake of economy and clarity:

1. On the dialectal differences in Old Norse during the Viking Age, see Barnes (1997, 2003a, 2003b and 2005).

INTRODUCTION

- 1) the homilies edited by Napier (1883) are referred to as *Nap* + number of the homily in his edition, and references to them are given according to page and line numbers instead of continuous line numbers;
- 2) in keeping with scholarly tradition, Anglo-Saxon charters are referred to as *S* + the number assigned by Sawyer (1968);
- 3) the titles of Old English texts not included in *OEC* are abbreviated according to the same pattern as those of similar texts (e.g. Wulfstan's 1018 code is referred to as *LawCn 1018*, an abbreviation modelled on *LawCn 1020*, and Wulfstan's version of Ælfric's first Pastoral Letter to him in Old English is abbreviated as *WÆLet 2* because abbreviations for the Wulfstanian compositions tend to start with *W* and *OEC* refers to the Ælfrician text as *ÆLet 2*).

CHAPTER 1

WULFSTAN'S CANON AND STYLE

1.1 WULFSTAN'S CANON

Any scholar interested in Wulfstan's vocabulary has to start by establishing the works in which his authorship can be ascertained. This is not an easy task for two main reasons. Firstly, unlike Ælfric, Wulfstan did not identify himself in his writings, and only occasionally did he hint at his identity by using *Lupus*, his *nom de plume*. Secondly, a person who had as many occupations as 'statesman, reformer, canonist, legislator, and homilist' (Bethurum 1957:61), as well as liturgist, estate administrator and benefactor (see Townend 2004a:6), can be expected to have been interested in different genres throughout his career. However, neither difficulty has prevented eager students from analysing the extant Old English texts searching for Wulfstanian productions. They have employed both stylistic and palaeographical evidence.¹ This eagerness, however, has led to some complaints about the excessive 'Wulfstanianism' exhibited by various academics.²

1.1.1 WORKS COMPRISING THE CANON

The overview of the Wulfstanian canon presented here follows general scholarship in two respects:

(1) Technically speaking, *sermon* and *homily* refer to different types of

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1. On the palaeographical and codicological contribution to the identification of Wulfstan's works, see below, note 33 in Chapter 7, and Richards (1986).
 2. See, for instance, Hohler (1975:225, note 59) and Kennedy (1983:65); see further below, note 64 in Chapter 3.

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religious compositions (the former deals with general moral advice or catechetical explanation whereas the latter normally elaborates on a biblical passage). This book, however, does not distinguish between them, and uses the terms *homily* and *homiletic* to refer to the two types (cp. Liuzza 2001:241).

(2) Wulfstan repeated time and again, in both religious and non-religious compositions, the importance of having a well-ordered society in which individuals perform their social and religious roles properly.³ In fact, genre divisions become so blurred in his works that Wormald explains that

[t]he significance of Wulfstan's later homilies is not that they fit neither homiletic nor legal categories but that they fit both. His homilies were becoming more legislative in content at the same time as his laws were acquiring teeth (2000:205–06).

Despite the fusion of legal and homiletic materials in the same texts, the review of the scholarship on the Wulfstanian canon presented below distinguishes between homiletic and non-homiletic texts for clarity's sake. The homiletic works discussed under 1.1.1.1 consist solely of the compositions included by Bethurum (1957) in her edition of Wulfstan's homilies and the pseudo-homiletic Wulfstanian texts edited by Napier (1883) to which Bethurum denies a clearly homiletic character.

1.1.1.1 *HOMILETIC WORKS*

Wulfstan's activities as a homilist have been recognized since 1705, when Wanley (1705:140ff) identified the *Lupus* mentioned in Cambridge, Corpus Christi College MS. 201 (hereafter Corpus 201), p. 82, with Wulfstan, bishop of Worcester and archbishop of York, and assigned to him fifty-three homilies. Almost two centuries later Napier (1882:4 and 8) reviewed Wanley's attribution, and pronounced genuine only five of the homilies (viz. *WHom* 6, *WHom* 7, *WHom* 13, *WHom* 20, *WHom* 21) on the basis of manuscript rubrics containing Wulfstan's pen-name. A year later Napier

3. On this aspect of Wulfstan's thought, see further Bethurum (1971), Lawson (1992), Wormald (199d:330–66) and Orchard (2002:316–18).

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published all the homilies attributed to the archbishop by Wanley, together with *WHom 16b*, *Nap 57*, *Nap 58*, *Nap 59*, *Nap 60*, *Nap 61*, *Nap 62*, and promised a second volume where he would present his critical comments and his canon. Sadly, that volume was never published. Napier's 1883 edition attracted great interest, and some years later Kinard (1897) made a new attempt to fix the canon. On the basis of similarities of style and content, he added homilies *WHom 1b*, *WHom 2*, *WHom 3*, *WHom 4*, *WHom 5*, *WHom 8c*, *WHom 10c* and *Nap 27*. Becher (1910) made a similar investigation based on Kinard's work, and added *WHom 9*, *WHom 11*, *WHom 14*, *WHom 15*, *WHom 18*, *WHom 19*, *Nap 40*, *Nap 45*, *Nap 46*, *Nap 47*, *Nap 48* and *Nap 57*. A few years later Jost (1932) added the criterion of method of composition to the tests for Wulfstan's authorship. He showed that the homilist was keen on gathering Latin source material and working it up into Old English homilies (cp. Tristram 1995:4). This criterion helped him to assign the following homilies to Wulfstan's pen: *WHom 8a*, *WHom 8b*, *WHom 8c*, *WHom 10a*, *WHom 10b* and *WHom 10c*. In 1939 Whitelock published her first edition of *Sermo Lupi ad Anglos*, where she added *WHom 12* and *WHom 17* to the canon. In her edition from 1952 she made further additions: *WHom 7a*, *Nap 23*, *Nap 24*, *Nap 35*, *Nap 36*, and she accepted *WHom 16b* as genuine. McIntosh had already considered the latter to be Wulfstan's in his 1949 article, where he presented his theory on the prose rhythm in the archbishop's works as further evidence for Wulfstan's authorship.

In 1957 Bethurum published her edition of the homilies which to that point had been accepted as Wulfstan's compositions or his reworkings of older texts. This remains the standard edition for Wulfstan's homiletic works. It rendered previous works on Wulfstan's vocabulary and syntax (e.g. Dunkhase 1906 and Dodd 1908) invalid because they did not distinguish between the genuine and the non-genuine texts (Mohrbutter 1885 is an important exception). Bethurum's edition, however, does not include a glossary, a lack pointed out by Potter (1959:296) and Ure (1959:113). This deficiency was supplied by Dobyns's (1973) doctoral dissertation. Potter (1959:295–96) and Ure (1959:115) also reported some errors in the transcription, and their comments have recently been complemented by Orchard (2002 and 2004), who is preparing a new edition of Wulfstan's Old English homiletic texts. Hall (2004) points out that the list of Latin sermons

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attributable to the archbishop has been expanded since Bethurum's edition; he promises to discuss the full new canon in a forthcoming edition (cp. Hall 2004:110–39).

Bethurum only printed the works from Napier's edition which she considered to be homiletic, even though she (1957:36–41) also accepted Wulfstan's authorship of the following texts: *Nap 23*, *Nap 24*, *Nap 25*, *Nap 35*, *Nap 36*, *Nap 39*, the first part of *Nap 47* (242.23–243.21), *Nap 50*, *Nap 51*, *Nap 52*, *Nap 53*, *Nap 59*, *Nap 60* and *Nap 61*. She (1957:43) rejected *Nap 29*, *Nap 31*, *Nap 43*, *Nap 44*, *Nap 45*, *Nap 46*, *Nap 57* and *Nap 62* as Wulfstanian compositions. Wilcox (1987:133–36 and 1992:200–01) differs from Bethurum in also attributing *Nap 1*, *Nap 27* and possibly *Nap 38* to Wulfstan. The present book includes the analysis of the texts edited by Napier (1883) which Bethurum (1957) and Wilcox (1987 and 1992) consider to be Wulfstan's, and treats with a caveat those about which these scholars disagree.⁴

1.1.1.2 NON-HOMILETIC WORKS

The history of the incorporation of the non-homiletic works into the Wulfstanian corpus is more complex. In 1901 Feiler presented an edition of the Old English *Benedictine Office*, where he (1901:42–53) expressed his opinion that Wulfstan had translated the prose parts, and composed the metrical paraphrases of the Lord's Prayer, the Creed and the Gloria. This was a return to Wanley's (1705:140ff) view. Feiler (1901:49–50) considered that the impetus to the project of excerpting from Hrabanus and translating his work into the vernacular came from a passage from Ælfric's first Old English Pastoral Letter to Wulfstan (hereafter *ÆLet 2*). Fehr (1912–13) accepted Wulfstan's authorship of the prose parts, and collected evidence in support of the view that Ælfric had given Wulfstan the material on which to base his work. In 1957 Ure published the most recent edition of the text. In

4. Wulfstan's authorship of *Nap 50* has recently been questioned by Corradini (2005), who argues that the homily may have been put together in Exeter during Bishop Leofric's (d. 1072) time. Given that Corradini's work is still in progress, that *Nap 50* is commonly accepted to be Wulfstan's (cp. Lionarons 2004) and that, as far as the Norse-derived terms are concerned, the homily does not exhibit any non-Wulfstanian traits, it is here accepted as part of the Wulfstanian canon.

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the introduction (1957:44–45) he refuted any connection between Wulfstan and the poems (cp. Bethurum 1957:47–49; Whitbread 1962:43; and Kennedy 1983:63, note 37). As far as the prose sections are concerned, Ure took Feiler's and Fehr's views further, and claimed (1957:25) that those sections represent Wulfstan's revision of an original translation by someone else, probably Ælfric. In his review of Ure's edition, Jost (1959b) argued that the stylistic and linguistic evidence presented by Ure is insufficient to show either that Wulfstan worked from another Old English text or that the earlier text was Ælfric's. Clemoes (1960) and Toswell (1990:108) reached similar conclusions. In any case, the presence of non-Wulfstanian features in the prose (see below, 3.2.3) suggests that one ought not to discard the existence of an earlier version. Similarly, the possibility that the translation was made by someone in Wulfstan's circle, but not Wulfstan himself, cannot be ignored (cp. Toswell 1990:108–09).

In 1914 Fehr published his edition of Ælfric's Pastoral Letters in Latin and Old English. He (1966:lxv–lxxxii) argued that his 'Brief II' (i.e. *ÆLet* 2) as it appears in Corpus 201 was not Wulfstan's revision of the original, but the work of an imitator. This theory was dismissed by Jost (1918) in his review of Fehr's edition, and by Clemoes (1966:cxli), who agreed with Jost in his supplement to Fehr's introductory comments that the revision should be attributed to Wulfstan.⁵

Jost (1918) also accepted Wanley's theory on Wulfstan's authorship of the *Institutes of Polity* (hereafter *Polity*), which Bethurum speculated 'may prove to be the most important of all his works' (1957:46). Jost edited this text in 1959. He included in an appendix a series of tracts which are not part of *Polity* itself. He had partially explained the inclusion of these additional works some years before, when he (1932:267–68 and 288–301) claimed that *De regula canonicorum* (= *WHom* 10a) and the *Canons of Edgar* should be attributed to Wulfstan. In her review of Jost's edition of *Polity* Whitelock (1961) accepted the archbishop's authorship of the following additional texts: *Be godes ðeowum*, *Ad sacerdotes: La leof*, *Ad sacerdotes: Tæcað cristenum*, *Canons of Edgar*, *Incipit de synodo*, *Be gehadedum mannum*, *WHom* 10a and *Be sacerdan*, and merely echoed Jost's (1950:22) identification of the so-called *Admonition to bishops* as Wulfstanian. Her

5. Clemoes's supplement appears under Fehr (1966) in the bibliography.

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scepticism regarding the latter must have diminished because it is undoubtedly counted among Wulfstan's works by Whitelock et al. (1981:no. 55).⁶ In his edition of *Polity* Jost (1959a:23–24) also asserted Wulfstan's authorship of *Episcopus*.

In 1923 Jost studied the style of the two poems about Kings Edgar and Edward included in ChronD (Cubbin) 959 = ChronE (Irvine) 959 and ChronD (Cubbin) 975, and concluded that, although they partially rely on some Ælfrician texts, they must also be attributed to the archbishop.⁷

Wulfstan's connection with Æthelred's later codes, viz. *V–X Æthelred*, is partially revealed by the Latin paraphrase of *VI Æthelred*. Its prologue speaks of 'the instigating encouragement of Archbishops Ælfeah and Wulfstan',⁸ while it concludes by reiterating that 'I, Wulfstan, archbishop by the grace of the disposing God, set down in writing these same things [i.e. the previous statutes]' (Whitelock 1968:52).⁹ Together with the Latin paraphrase of *VI Æthelred*, there are two Old English versions which are supposed to represent the statutes approved at Enham in 1008, viz. *V Æthelred* and *VI Æthelred*. In his book on the Wulfstanian compositions Jost (1950:35–36) argued that *V Æthelred* is the best text of the statutes as they were issued. The Latin document, in Jost's view, is a record of the proceedings voluntarily drawn up by Wulfstan, while the Old English version of *VI Æthelred* is a private work which represents the statutes as the

6. Wilcox (1992:201) explains that *Be godes ðeowum*, *Ad sacerdotes: La leof*, *Ad sacerdotes: Tæcað cristenum*, *Incipit de synodo* and possibly *Be sacerdan* should actually be included among Wulfstan's homiletic works. They have been mentioned in this section in an attempt to provide the reader with an exposition as clearly ordered as possible.

7. Jost's views are reviewed and challenged in Pons-Sanz (forthcoming 3). However, given that no definite conclusions can be drawn from the study of the texts, that they are commonly accepted to be part of the archbishop's canon and that, in any case, they do not feature very prominently in the study of the Norse-derived terms in his works, they are not discarded from the present work.

8. 'Archipresulumque Ælfeahi et Wulfstani hortatu instigante' (Liebermann 1903–16:I, 247, Prol.).

9. 'Ego N. (Wulfstanus), gratia domini disponente Eboracensium archiepiscopus, eadem [...] litteris infixi' (Liebermann 1903–16:I, 257, 40.2).

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archbishop would have liked them to have been issued. A few years later Sisam (1953:278–87) agreed with Jost that *V Æthelred* gives the statutes which were promulgated at Enham, but argued that Wulfstan would have been authorized to issue an official version with some modifications for his northern diocese. According to Sisam, the Latin version would have been aimed at the higher clergy, whereas the Old English version of *VI Æthelred* would have been drawn up for wider circulation, so that the clergy of his province could make its provisions known. In a paper presented at the millenary conference on Æthelred the Unready, Wormald (1978:54–55) rejected Sisam's theory, preferring to explain the peculiarities of *VI Æthelred*, both in the Latin and the Old English versions, as developments of Wulfstan's own ideas, although he was willing to admit that 'one of the spurs to such developments would have been Wulfstan's experiences as Archbishop of York' (1978:55). Likewise, he argued that *X Æthelred* was also a version of the Enham decrees, to the extent that 'it might [...] have come closest of them all to the "official" version' (1978:53; cp. Wormald 1999d:330–37). Wormald (1978:58–59) explained that *VII Æthelred*, which only survives in the Latin translation of the *Quadripartitus*, may represent the version promulgated after the meeting in Bath in 1009, whereas the Old English *VIIa Æthelred*, a text largely concerned with penitential arrangements and undoubtedly in Wulfstan's style (cp. Jost 1950:213–16), was probably either a subsequent version or a draft kept in circulation. Finally, Wormald argued that there is

a remote possibility that IX Æthelred is to VIII what I have already suggested that X Æthelred is to V and VI and what the Quadripartitus text of VII Æthelred is to that of Corpus 201 (1978:59–60).

Thus, *IX Æthelred* could have contained all the decrees from 1014, whereas *VIII Æthelred* would only concentrate on those ecclesiastical points which Wulfstan wanted to emphasize.

Even though the *Peace of Edward and Guthrum* claims to have been drawn up by Alfred and Guthrum and reissued by Edward and Guthrum, Whitelock (1941) convincingly showed that it should be attributed to the archbishop. His concern with highlighting the antiquity of the regulations in

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the text and presenting Guthrum as a representative of the Danish side of the agreement may be the clearest indication that the code was intended for his northern see because the preamble would have been unnecessary if the code had been aimed at his southern diocese.¹⁰

Whitelock's 1948 article is another important contribution to the acceptance of Wulfstan as a legislator. In it she identified *I-II Cnut* as the archbishop's work. The association of LawIICn 69–83 with Wulfstan has recently been shown to be problematic. However, so as to contribute to the clarity of the exposition, and since this issue affects mainly the words discussed in Chapters 5 and 6, the reader is directed to 5.1 for a lengthy treatment of the problem.

Whitelock (1948:443) also asserted Wulfstan's authorship of a code containing legislative pronouncements issued after the meeting between the Danes and Englishmen at Oxford in 1018. After examining a version of materials common to *I-II Cnut* and *VI Æthelred* in Corpus 201, she argued that these pronouncements constitute a code in themselves, and showed Liebermann's (1903–16) error in having printed them as variants of *VI Æthelred* and *I-II Cnut*. In 1983 Kennedy published a coherent text and translation of the 1018 code (hereafter *Cnut 1018*) for the first time. Whitelock (1948) also noted Wulfstan's connection with Cnut's 1020 letter to the people of England (hereafter *Cnut 1020*), which is only preserved on fo. 160 of the York Gospels (York Minster Library, MS. Add. 1).

Despite Whitelock's arguments, Jost (1950:95–103) was not willing to accept Wulfstan's involvement with Cnut's codes. He highlighted the presence of vocabulary which is not characteristic of Wulfstan in *Cnut 1020*, dismissed his authorship, and suggested instead that Wulfstan could have fallen out of favour with Cnut by this stage. In a later article Whitelock (1955) reasserted her views on the relationship between Wulfstan and Cnut, and hypothesized (1955:83–84) that *Cnut 1020* may have been written in Denmark because it seems to address Earl Thorkel as the regent in the absence of the king, and that later on it may have been rewritten by Wulfstan. Keynes presents a more precise description of the parts of the letter which should be attributed to Wulfstan:

10. On the lack of a significant Scandinavian presence in pre-Cnutian Worcester, see below, 7.1.2.2.

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One might suggest, therefore, that chs. 1–13 preserve the text of Cnut's letter substantially as issued, and that chs. 14–20 were added by Wulfstan himself; the list of malefactors in ch. 15 is clearly related to a similar list in the *Sermo ad Anglos*, and chs. 16–17 recur verbatim in another of Wulfstan's homilies, while the content of chs. 14–20 as a whole can be paralleled in Wulfstan's homilies and law-codes alike (1986:96).

One further text from Cnut's reign attributed to Wulfstan consists of a writ sent to the king and his wife Ælfgifu regarding Wulfstan's consecration of Æthelnoth as archbishop of Canterbury (S 1386).

Bethurum 1950 is another of the most important contributions to our knowledge of Wulfstan's activities as draftsman of new codes and reviser of older ones. Bethurum presented enough evidence to ascribe *Gepyncðo*, *Norðleoda laga*, *Mircna laga*, *Að*, *Hadbot* and *Grið* to the archbishop's revising and compiling methods. Although the extent of Wulfstan's involvement in the surviving form of the first five texts is not totally clear, Bethurum, following Liebermann (1903–16:III, 256), identified *Gepyncðo*, *Hadbot*, LawAð 2 and LawNorðleod 5 and 7–12 as Wulfstan's (cp. McIntosh 1951:166, note 5; and Wormald 1999d:393–94).

The manuscript which reproduces *Grið* as a prelude to *VIII Æthelred*, viz. London, British Library Cotton MS. Nero A.i (hereafter Nero A.i), also contains a short tract which Liebermann (1903–16) called *Nor. Grið*. Wormald (1999d:395) explains that this text is a local application of Wulfstan's ideas from *Grið* to the northern see. It gives northern sanctuaries a ranking like that which *VIII Æthelred* assigns to southern churches. Wormald is not prepared to assert Wulfstan's authorship of this tract because of its brevity, but admits that, if it is not by Wulfstan, it is by someone who had learned from him. Linguistic evidence suggests the latter option as the more likely (see below, 4.1.4).

Despite Bethurum's important contribution to Wulfstan scholarship, she also made some mistakes which have not been overlooked by later scholars. In an article published in 1963 she suggested that the tracts *Rectitudines Singularum Personarum* (hereafter *Rectitudines*) and *Gerefa* were the work of the archbishop, who would have rewritten an older document dating from Oswald's episcopacy (cp. Robinson 2004:212). She based her opinion on stylistic criteria, particularly prose rhythm and alliteration, and on the fact

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that the subject matter accords with Wulfstan's main interest in the orderly structure of society and its classes. Moreover, Worcester was one of the largest ecclesiastical sees at this time; and, even though Wulfstan either resigned from or became less involved in this see in 1016, he maintained contact with it (see below, 7.1.1.1). Bethurum's suggestion then would not contradict Liebermann's (1903–16:III, 244–46) attribution of these texts to ca1020 x 1030. Her arguments are not fully satisfactory, though. The first to criticize her theory was Harvey (1993), who, following Page's (1985:213–14) description of the relationship between *Rectitudines* and *Gerefa* as 'unclear', demonstrated that they are two differently motivated pieces: whereas *Rectitudines* was initially written as a practical manual, *Gerefa* was intended to be a literary work. However, Harvey (1993:7) did not deny the possibility that they may have been revised and put together by Wulfstan. Such a denial has, however, recently come from Wormald (1999d:387–89 and 2000:209–11; cp. 2004:12). Relying on the facts that *Rectitudines* and *Gerefa* do not contain the diagnostic expressions which characterize Wulfstan's texts, and that there are some disagreements between *Gerefa* and the piece on reeves included in *II Polity*, Wormald concludes that 'it is more sensible to suppose that the reviser was a near-contemporary who shared some of the archbishop's ideas, and even a few of his stylistic mannerisms' (2000:211).¹¹

In the same works Wormald (1999d:396–97 and 2000:211–13; cp. 2004:12) also expresses his unwillingness to admit the code known as the *Northumbrian Priests' Law* among Wulfstan's works (cp. Tenhaken 1979), an attribution previously suggested by Fowler (1963:9), Whitelock (1979:471–72), Whitelock et al. (1981:451) and Keynes (1986:93) among others.¹² Wormald finds important differences in presentation and content (especially regarding clerical marriage) between this text and the archbishop's known *oeuvre*. Accordingly, he prefers to assign the work to one of Wulfstan's two successors as archbishop. The author would have

11. See Baxter (2004:165) for a renewed claim in favour of Wulfstan's possible association with these works.

12. However, in her first edition of *Sermo Lupi* Whitelock had asserted that 'there is no evidence to connect him with the drawing up of the Law of the Northumbrian Priests' (1939:10).

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known Wulfstan's ideas and idioms well, but not well enough to make the work identifiable as the archbishop's.¹³ This study accepts Wormald's argument, and does not include the tract among Wulfstan's works.

Wormald (1999d:295 and 302) identifies Wulfstan's revising hand in the vernacular text of *I Æthelstan* because:

- (1) the Old English version of the code is confined to Wulfstan's manuscripts;
- (2) it contains demands for soul-scot and plough-alms which do not appear in the *Quadripartitus*, and it also differs from the Latin text in the *Quadripartitus* in the biblical source for LawIAs 22;
- (3) it has some wording with a Wulfstanian timbre: 'Se þe þonne nelle, þolige þare are oððe eft to rihte gecirre' (LawIAs 4).¹⁴

Likewise, *I Edmund* is only recorded in Wulfstan's manuscripts, which leads Wormald (1999d:309) to suspect that the archbishop may have adjusted the text, adding references to Peter's Pence and plough-alms. Wormald's (1999d:314) suspicion also extends to LawIIEg 2.3 and 5.1–3, where instructions on plough-alms appear beside the demand for church-scot, and those on Friday fasts, soul-scot and sanctuary are recorded next to the commands to observe Sundays and fasts in general. Wulfstan's modifications may also be seen in LawIIIEg 8.1–3, which refer to standardized weights and measures. These modifications of older codes reflect the fact that Wulfstan held Æthelstan, Edmund and Edgar as examples of legislators who 'God weorðodon 7 Godes lage heoldon' (LawVIIIAt 43).¹⁵

A few other texts should be added to the list of Wulfstanian works, although they do not belong to the corpus of this study. Wulfstan issued two charters which have not survived, but whose existence is mentioned by other charters (viz. S 1422 and S 1460). He also wrote some texts in Latin: the

13. Bethurum (1957:70) also suggests that Wulfstan may have been associated with this code in some way, but does not assert his authorship.

14. 'Whoever does not want to shall forfeit that benefit or revert to what is right'. Translations, unless otherwise stated, are my own.

15. 'Honoured God and kept God's law'. For a suggestion that Wulfstan may have been involved in the Old English translation of the romance *Historia Apollonii regis Tyrii* in Corpus 201, see Morini (2005).

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penitential letters appearing under his signature, which Bethurum (1957) edits in her Appendix ii, and a letter to the Pope protesting against the fact that English archbishops were required to journey to Rome to receive the *pallium* (see Bethurum 1949).¹⁶

This brief summary of the works attributed to Wulfstan has attempted to present a conspectus of his involvement in late-tenth and early-eleventh-century English society. The corpus may need to be expanded in the future if evidence is found to support Bethurum's claim that

there is much to encourage the speculation that he may have had some connection with King Ethelred before his appointment to York, perhaps as scribe, and it is a temptation to try and find traces of his style in the many charters of Ethelred's reign (1957:58).¹⁷

That 'temptation' will not be pursued in this study.

1.1.2 CHRONOLOGICAL ORDER OF WULFSTAN'S WORKS

The study of any changes in Wulfstan's lexical choices relies on the chronological arrangement on his works. There is very little information about the archbishop's life, but, luckily, the little information available covers some dates which mark the most important moments of his career. He was bishop of London from 996 to 1002, when he was appointed bishop of Worcester and archbishop of York (on his London years, see further below, 7.1.2.1). He held both sees in plurality until 1016, when he seems to have either resigned Worcester or established a suffragan bishop there. He

16. On the possibility that Wulfstan may have revised the collection of passages known as *Excerptiones Pseudo-Egberti* (edited by Cross & Hamer 1999), see Godden (2004:354–55, 364–65 and 372).

17. On the possibility that Wulfstan may have been promoted from scribe to bishop, see further below, note 22 in Chapter 6. On Wulfstan's early political involvement and his likely participation in the shire court, see Barlow (1979:146–48), Whitelock (1975:31), Sharpe (2001:251–52) and Williams (2003:86).

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died on 28 May 1023.¹⁸ These dates, together with the reigns of Æthelred (978–1016) and Cnut (1016–35), can be used as landmarks for the dating of his texts. However, a definite exposition of the order of composition is not fully possible, for, as noted by Wormald,

[a]ny chronology for Wulfstan's works rests only on yet more argued reconstruction, the premise being that, like most aging men, he tended to become ever more loquacious over the years (2004:13).

A chronological arrangement of Wulfstan's works has previously been attempted by DeLeeuw (1972:Chapter 2); his work is an important source for the following exposition, especially as far as the homiletic works are concerned. Bethurum (1957:40, 58 and 103) explains that the homilies which she classifies as 'eschatological' should mainly be assigned to Wulfstan's London years, their order of composition being, according to internal borrowings, as follows: *WHom 2*, *WHom 3*, *WHom 1a*, *WHom 1b*, *WHom 4*, *WHom 5*. In his review of Bethurum's edition, Clemoes (1959b:82) points out that the relationship between *WHom 5* and the preface to the First Series of Ælfric's *Catholic Homilies* indicates that this homily should be dated later than 1005 because it includes a revised version of the preface lacking from a first selection of Ælfrician texts extant in Oxford, Bodleian Library MS. Hatton 115, but which is included in a second selection extant in Cambridge, Corpus Christi College MS. 178 and, only partially, in Oxford, Bodleian Library MS. Hatton 116. Godden (2004:368–70) agrees with Clemoes's dating and also attributes *WHom 4* to a date later than 1005. Taking into account stylistic as well as extratextual reasons, DeLeeuw (1972:44) assigns *WHom 14*, *WHom 15* and *WHom 19* to Wulfstan's earlier career (cp. Bethurum 1957:104). Similarly, he (1972:23, note 15) attributes the two poems in the *Anglo-Saxon Chronicle* to the London years because Bethurum (1957:47) notes that they are similar to *WHom 19* and *WHom 2* in sentence structure and rhythm. However, they could also be attributed to Wulfstan's years as an archbishop because of York's association with the so-called northern recension of the *Chronicle*

18. On Wulfstan's life, see further Whitelock (1937 and 1968), Bethurum (1957:54–68 and 1966) and Orchard (1999).

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(see Cubbin 1996:lvi–lxxxviii).

Bethurum (1957:103) provides the following order for the works written after the eschatological homilies: *WHom 10a*, *WHom 6*, *WHom 7*, *WHom 9*, *WHom 11*, *WHom 8a*, *WHom 8b*, *WHom 10b*, *WHom 10c*, *Canons of Edgar*, *WHom 8c* and *V Æthelred* (1008). DeLeeuw (1972:50) points out that *WHom 8c* borrows from *WHom 12*, which hints at the place of the latter in the chronological arrangement of Wulfstan's works. The work known as the *Canons of Edgar* is usually dated ca1004 x 1008, i.e. some time between Ælfric's Pastoral Letters and *V Æthelred* (see Bethurum 1942:928, note 41; and Fowler 1963:9).

Whitelock hypothesizes that Wulfstan may have written the *Peace of Edward and Guthrum* very soon after he took control of York in 1002, when he would have found his diocese 'backward in ecclesiastical matters and failing to observe regulations which he regarded as of long standing' (1941:18–19).¹⁹ He would have used this compilation when drafting Æthelred's Enham legislation, which would identify 1008 as its *terminus ante quem*. Whitelock et al. (1981:304) indicate that the *Canons of Edgar* may be later than the *Peace of Edward and Guthrum* because LawEGu 7 retains three words from LawIIAs 24.1 which do not appear in WCan 19 or in the later codes (i.e. 'þolie þæs ceapes').²⁰

Since Wulfstan received *ÆLet 2* ca1006 (see Fehr 1966:liii; and Clemoes 2000:57), it seems reasonable to attribute his revision of the letter (hereafter *WÆLet 2*) to a similar date. Ure (1957:45–46) believes that the prose part of the *Benedictine Office* is likely to have assumed its present form early in Wulfstan's episcopate, as suggested by its relationship with *WHom 10a*. DeLeeuw (1972:28) dates it ca1006 (cp. Toswell 1990:109–10).

Given that LawGrið 13 describes as 'law of the North-Angles' the death penalty for killing within the church-walls, whereas it is generally mandatory in *VIII Æthelred* and Cnut's codes, Wormald (1999d:395 and 2004:26) dates *Grið* before 1014, but after the composition of the *Peace of Edward and Guthrum*. In Jost's opinion (1959a:32–33), *Be sacerdan* is a

19. On the effect which the Scandinavian conquest had on religious life in the Danelaw, see Angus (1965), Wilson (1967), Fellows-Jensen (1987), Campbell (1996), Barrow (2000) and Hadley (2000:Chapter 5).

20. '(He shall) forfeit the goods'.

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compilation which borrows from *Grið*, *Gepyncðo*, *Polity* and *I–II Cnut*. However, in her review of Jost's edition of *Polity*, Whitelock argues in favour of the alternative possibility that it is an earlier work, which Wulfstan used 'when writing *Polity* and drafting laws' (1961:65). Bethurum (1950:454) adds *Grið* to the list of works written after it. She (1950:455) and Wormald (1999d:395 and 2004:26) agree that *Hadbot* is probably earlier than *Grið*, which has a longer version than the former on the wisdom of older law-makers in protecting churches and clergy. Regarding *Gepyncðo*, the only clue which Bethurum (1950:458) gives for its date is that LawGepyncðo 8 derives from LawEGu 12. She does not present any further evidence for the date of these codes, but notes (1950:449) that Wulfstan reworked *Mircna laga*, *Að* and *Hadbot* in time for them to be included in his commonplace book in Cambridge, Corpus Christi College MS. 190 (hereafter Corpus 190).²¹ Fowler (1963:9) explains that the collection of the commonplace book must have taken place ca1004 x 1008 because Ælfric's Pastoral Letters are the nucleus of the collection, and Wulfstan made full use of it in the *Canons of Edgar*. If one considers that Wulfstan may have accomplished the drafting and revision of the six texts associated with him by Bethurum (1950) at a similar time, this would support Wormald's claim that *Grið* was written before *VIII Æthelred* and not after, as suggested by Bethurum (1950:455) and DeLeeuw (1972:33).

The drafting of *X Æthelred*, if one believes in Wormald's (1978) hypothesis (see above, 1.1.1.2), could be attributed to a date close to *V Æthelred*. Instead of assigning the drafting of the two versions of *VI Æthelred* to a period immediately following that of *V Æthelred*, Wormald (1999d:333–35) prefers to see them as later texts, and suggests that the English version was composed only slightly earlier than Cnut's codes, i.e. ca1018. Jost (1950:106–09), Bethurum (1957:37) and Stafford (1978a:41, note 104) agree that *Nap 51* was probably preached during a meeting of the *witan* because it encourages its audience thus: 'Leofan menn, lagiað gode woroldlagan' (*Nap 51* 274.7).²² Although it is not easy to associate it with a particular legislative meeting (cp. Jost 1950:108), the fact that the text

21. On the manuscripts containing Wulfstan's commonplace book and their contents, see Bethurum (1942), Cross (1992) and Sauer (2000).

22. 'Beloved men, enact good secular laws'.

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finds its parallel mainly in *V Æthelred* could be used as an indication that it served as an outline of what was to be enacted as law in Enham.

VII Æthelred and *VIIa Æthelred* were probably composed in 1009. The rubric to the English version says that it was promulgated 'ða se micle here com to lande' (LawVIIaAtr 0.1),²³ and this is probably the same attack which the *Anglo-Saxon Chronicle* describes under that year. *Nap 35*, *Nap 36* and *Nap 39* are associated with this code (see Jost 1950:213–16; and Bethurum 1957:38); accordingly, they should be assigned to a date close to 1009.

Bethurum (1957:37 and 103) places *WHom 13* after *WHom 7*, *WHom 10c*, *WHom 8c*, *V Æthelred* and *VI Æthelred*, and DeLeeuw (1972:55) assigns it to the period 1012 x 1014. In 1014, horrified by the Danish invasion and Æthelred's expulsion from the country, Wulfstan would have written *Sermo Lupi ad Anglos*.²⁴ As noted by Wilcox (1987:169–70), the first part of *Nap 47* relies on *Sermo Lupi*, which gives at least a *terminus post quem* for its composition. Corpus 201 attributes *VIII Æthelred* to 1014, when, according to Wormald's (1978) hypothesis (see above, 1.1.1.2), one could also date *IX Æthelred*.

After 1016 Wulfstan would have occupied himself with *Polity* and the codes issued by Cnut. Jost dates *Polity* in connection with Ælfric's *On the Old and New Testament*, and hypothesizes that 'if we establish 1007–08 for the translation of the *Old and New Testament*, then *I Polity* can hardly have been composed earlier than 1008–10'.²⁵ Regarding the extension from *I Polity* to *II Polity*, he admits that 'all the clues are missing. The additions to the already existing part of *Polity* and the composition of the new one could

23. 'When the great army came to the country'.

24. The order of composition of the three versions of *Sermo Lupi* is a highly debated topic. Whereas some scholars (e.g. Bethurum 1957:22–24; Whitelock 1976:2–3; and Godden 1994:144ff) argue in favour of the order *WHom 20.1*, *WHom 20.2* and *WHom 20.3*, others prefer the opposite order of composition (e.g. Hollis 1975; and Wilcox 1987:167–70 and 2004). This is not an important issue as far as the present work is concerned; for the sake of simplicity, they are attributed here the same order as in Bethurum's (1957) edition and *OEC*.

25. 'Setzen wir nun für die Entstehung von *O. and N. Test.* 1007–08, so kann die *I. Polity* kaum früher entstanden sein als 1008–10' (1959a:33).

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possibly have occupied Wulfstan till the end of his life'.²⁶ Bethurum (1957:38) points out that *Nap 52* and *Nap 53* are versions of *WPol 2.1.1* (Jost) 130–144. She (1957:104) establishes a late date for *WHom 21*, and DeLeeuw (1972:58) attributes it, together with *WHom 16a* and *WHom 16b*, to a period before the composition of *Polity* and after 1016.

In 1018 Wulfstan would have elaborated the Oxford code, and he would have composed *I–II Cnut* 'only two or three years' later (Wormald 1999d:355). Whitelock et al. hypothesize that *Cnut 1020* 'antedates Cnut's main code, for one would expect some reference to this if it already existed' (1981:435).

DeLeeuw (1972:60) dates *WHom 17 ca*1020 because it would have been written to consecrate Æthelnoth as archbishop of Canterbury or Edmund as bishop of Durham in that year (cp. Whitelock 1968:42; cf. Wilcox 2004:380–83). Some time after 13 November 1020, the date given by the D-text of the *Anglo-Saxon Chronicle* for Æthelnoth's consecration (see ChronD [Cubbin] 1020.7–8), Wulfstan would have drafted S 1386. Similarly, *WHom 18* could have been composed or revised in 1020, when Wulfstan consecrated Cnut's church at Ashingdon.

Keynes remarks that *Nap 59*

could have been put together in the closing years of Æthelred's reign, or at the beginning of Cnut's, but it seems more likely that it was composed at the same time as it was entered in the gospel book, in the early 1020s (1986:93).

Keynes (1986:94–95) explains that *Nap 61* was intended to complement *Nap 60*, and its provisions place it somewhere between *VIII Æthelred* and *I Cnut*. Wormald (1999d:Table 5.4) identifies *Nap 60* as one of the sources for *II Cnut*. Both tracts could be assigned to the same period as *Nap 59*.

As pointed out by Bethurum (1957:37), *Nap 23* and *Nap 24* are made up of excerpts from Cnut's laws. She (1957:39–40) would also like to date *Nap 50 ca*1020 (cp. DeLeeuw 1972:41), but Wormald (1999d:335 and 356–60) prefers to place it a few years earlier; he regards it as being associated with

26. '[D]afür fehlen alle Anhaltspunkte. Zusätze zu den bestehenden und die Abfassung neuer *Polity*kapitel haben möglicherweise Wulfstan bis an sein Lebensende beschäftigt' (1959a:33).

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Cnut 1018 and as a possible source of *I Cnut* (cp. Lionarons 2004:418–19). *Nap 25* could be assigned to the period 1002 x 1016, when Wulfstan wrote his other works on baptism. However, given its poor quality (cp. Bethurum 1957:36), it may be better to assign it to a later date. One should remember that ‘indeed the evidence we have indicates that Wulfstan did his best writing before 1017, when Cnut was crowned’ (Bethurum 1957:40).

Wulfstan’s insertions in *I Æthelstan*, *I Edmund* and *II–III Edgar* could be dated after 1008, when he was mainly involved in the composition of legal codes. This suggestion agrees with Wormald’s (1999d:314) explanation that some of the Wulfstanian insertions in *II Edgar* are first found in the Enham code.

Whitelock et al. (1981:no. 54) assign *Incipit de synodo* to ca1008 x 1022, and are willing to accept that its composition may have been paralleled by the drafting of the decisions of the council at Enham. The so-called *Admonition to Bishops*, their text no. 55, is assigned to the early 11th century. The same vague dating applies for *Be gehadedum mannum*, their text no. 57. Such an uncertain date could also be suggested for the other texts in Jost’s (1959a) appendix except for the *Canons of Edgar*, *WHom 10a* and *Be sacerdan*. Regarding *Episcopus*, Whitelock et al. explain that

the fact that cc. 13–15 have not been influenced by the Wulfstan homily Bethurum VIIIb, though a very similar passage in the homily Napier LVIII has, may imply a date fairly early in Wulfstan’s career as a writer (1981:no. 56).

Table 1 summarizes this attempt to arrange Wulfstan’s works chronologically. Undoubtedly, some modifications could be introduced (cf. Wormald 2004:26–27). The canon has been divided into textual groups (distinguished by capital letters) according to their suggested date of composition. They are split into textual subgroups (marked by Arabic numbers) within which some order can sometimes be hypothesized. It is difficult, however, to determine the sequence in which the subgroups in a textual group were composed. The Latin texts mentioned in this section are underlined.

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Wulfstan at London (996 x 1002)	
A	
1. <i>WHom 2, WHom 3, <u>WHom 1a</u>, WHom 1b</i>	
2. <i>WHom 14, WHom 15, WHom 19</i>	
Wulfstan at Worcester and York (1002 x 1016)	
B (1002 x 1008)	
3. <i>Peace of Edward and Guthrum</i>	
4. <i>WHom 4, WHom 5, WHom 10a, WHom 6, WHom 7, WHom 9, WHom 11, <u>WHom 8a</u>, Episcopus, WHom 8b, <u>WHom 10b</u>, WHom 10c, WHom 12, Canons of Edgar, WHom 8c</i>	
5. <i>WÆLet 2</i>	
6. <i>Prose of the Benedictine Office</i>	
7. <i>Be sacerdan</i>	
8. <i>Mircna laga, Að, Hadbot, Norðleoda laga, Gephyncðo, Grið</i>	
C (ca1008)	
9. <i>Nap 51, X Æthelred, V Æthelred, <u>Latin VI Æthelred</u></i>	
D (ca1009)	
10. <i><u>VII Æthelred</u>, VIIa Æthelred, Nap 35, Nap 36, Nap 39</i>	
E (1012 x 1014)	
11. <i>WHom 13</i>	
12. <i>WHom 20 (Sermo Lupi), 1st part of Nap 47</i>	
13. <i>VIII Æthelred, IX Æthelred</i>	
Wulfstan at York (and Worcester?) (1016 x 1023)	
G (1016 x 1018)	
19. <i>VI Æthelred, Cnut 1018, Nap 50</i>	
H (ca1020)	
20. <i>WHom 17, S 1386, WHom 18</i>	
21. <i>Nap 59, Nap 60, Nap 61</i>	
22. <i>Cnut 1020</i>	
I (1021 x 1023)	
23. <i>I–II Cnut</i>	
24. <i>Nap 23, Nap 24, Nap 25</i>	
F (?)	
14. <i>ChronD (Cubbin) 959, ChronE (Irvine) 959, ChronD (Cubbin) 975</i>	
15. <i>Rev. I Æthelstan, I Edmund, II–III Edgar</i>	
16. <i>WHom 21, <u>WHom 16a</u>, WHom 16b</i>	
17. <i>Polity and most texts in Jost's (1959a) appendix</i>	
18. <i>Nap 52, Nap 53</i>	

Table 1. The chronology of Wulfstan's works

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1.2 WULFSTAN'S STYLE

The identification of Wulfstan's stylistic traits is another fundamental issue for anyone dealing with his works. This book is no exception because, firstly, an appreciation of Wulfstan's concern for style is necessary to explain many of his lexical choices. Secondly, some of the etymological decisions made below are partially based on Wulfstan's stylistic features.

In book IV of his *De Doctrina Christiana* St Augustine defended the potential use of the *ars bene dicendi* for the preacher. Based on Ciceronian principles, this book emphasizes above all the preacher's responsibility to persuade his listeners to act virtuously. Even though the content of his preaching should be much more important than the style, it is also necessary for the preacher to maintain the interest of his audience by varying his style, and choosing now one, now another of the three manners of addressing the audience (viz. the subdued, the moderate and the grand style). They serve the three ends of Christian oratory: teaching ('docere'), pleasing ('delectare'), and, in doing so, encouraging obedience or action ('movere') (R.P.H. Green 1995:266–69 and 272–75).²⁷ Likewise, St Augustine advised preachers to employ both rhyme and prose rhythm. When used in moderation, these can help to maintain an audience's attention. Like any other preacher in Anglo-Saxon England, Wulfstan would have had to face both receptive and difficult audiences, and he made sure that his stylistic repertoire took account of their needs, capacities and attitudes. As noted by Bethurum, 'although it is for the style designed to move his audience that Wulfstan is most noted, he mastered also the plain style suitable for teaching' (1957:86).²⁸

St Augustine recommended as well that

in the case of debates with certain sorts of people, we should not shirk the duty of making plain to the minds of others the truths which we have ourselves perceived, however hard they may be to

27. On the importance which St Augustine attributed to rhetoric, see Murphy (1960). On Ælfric's and Wulfstan's awareness of their roles as teachers, see Busse (1993).

28. See Hollowell (1977) for an analysis of the linguistic differences between the subdued and grand style in Wulfstan's homilies.

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comprehend, with as much effort and argument as may be necessary
(R.P.H. Green 1995:225).

Wulfstan followed this recommendation very closely, and avoided complex figures of thought such as similes, metaphors or analogies.²⁹ This aim for clarity, together with his tendency to dwell on ideas which he wanted to emphasize without, at the same time, losing his audience's attention, led him to employ the same devices time and again. The following lines present Wulfstan's most common stylistic traits.

(1) Repetition: this can adopt different forms:

(1.a) Lexical repetition:

(1.a.1) Repetition of the same word throughout a passage (e.g. diacope, when the word is repeated with a few words in between; anaphora, when the word is repeated at the beginning of a series of phrases, clauses or sentences; antistrophe, when the word is repeated at the end of the same structures);³⁰

(1.a.2) Repetition of the same root in different grammatical units (i.e. polyptoton);

(1.a.3) Various word-plays (i.e. paronomasia, pun) based on the use of similar words (e.g. *mann* 'man' and *mān* 'evil deed' in WHom 12 50–51) or the presence of the same root in two complexes which have different meanings (e.g. *forbūgan* 'to avoid' and *gebūgan* 'to submit' in WHom 13 54–55);³¹

(1.a.4) Use of synonyms, which very frequently appear coordinated and further linked by alliteration, rhyme or structural parallelism (e.g. *ðēowian* and *ðegnian* 'to serve and minister' in WHom 10a 47). This type of repetition can be associated with commoratio, which describes

29. See Bethurum (1957:91–92), Jurovics (1978:209) and Greenfield & Calder (1986:92).

30. All the definitions of rhetorical terms follow Lanham's (1991).

31. Translations of single Old English terms follow, unless otherwise specified, those provided by Clark Hall (1960); whenever available, the definitions in the *Dictionary of Old English* (hereafter *DOE*) have also been consulted. On the Anglo-Saxons' taste for word-play, see Frank (1962), Ryan (1969:269 and 277), Wilcox (1994), Shippey (2000) and Tripp (2000).

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the process of emphasizing a strong point by repeating it several times in different words.

(1.b) Structural parallelism: clauses or sentences may have only the same syntactic structure or also equal length (i.e. isocolon); cases of 'inverted' structural parallelism (i.e. chiasmus) are also common in his works.

(2) Intensification by means of adverbs and adverbial phrases (e.g. *ealles tō swȳðe* 'all too much').³²

(3) Extensive use of sound effects, be it alliteration, consonance, assonance, rhyme (which comprises examples of homoiototon, or grammatical rhyme, and homoioteuton, i.e. the use of indeclinable words with similar endings), or any other echoic effects. These, together with the frequent use of exclamations (e.g. *ēalā* 'lo') and the repetition of formulaic phrases (e.g. *riht gelēafa* 'proper belief'), suggest similarities with oral composition. However, Bethurum (1966:233) believes that precisely these effects show that Wulfstan's works did not rely on the inspiration of the moment, but were the result of a careful plan (see below).³³

(4) Prose rhythm: by the end of the nineteenth century Eienkel (1884) had already identified the existence of various rhythms in *Sermo Lupi*, but only very vaguely. This identification was forgotten until McIntosh published in 1949 his article on Wulfstan's rhythmical prose, where he criticized Eienkel's decision to print *Sermo Lupi* as a poem because the rules governing Wulfstan's rhythm are different from those of the classical half-lines. McIntosh (1949:114–18) suggests that Wulfstan's rhythm is made up of a continuous series of two-stress phrases, which are always small syntactic units. This theory has received the support of important Wulfstan

32. On the significance of intensification in the Wulfstanian style, see further E. Green (1995).

33. Lord (1960) studied illiterate Serbian singers who improvised their composition with the help of ready-made formulas. This manner of composition has also been attributed to Anglo-Saxon poetry. See Magoun (1953), Olsen (1986 and 1988) and Orchard (1997), who points out that 'formulaic poetry, contrary to what Magoun and others have asserted, need not be oral, although the technique of composition may derive from an ultimately oral tradition' (1997:108). Orchard highlights the importance of studying formulas as 'a communal vehicle for interpretation' (1997:114), which allows for the coexistence of 'oral' and 'literate' habits of mind. See further Orchard (1992:248–59) on Wulfstan's taste for repetition.

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scholars (see, for instance, Bethurum 1957:92; Jost 1959a, where *Polity* is printed in two-stress short lines; Whitelock 1976:19; and Orchard 2004:65), but has also been the target of important criticisms and alterations. In his assessment of McIntosh's theory Funke (1962a:318) concludes that one can actually see a good deal of variety in Wulfstan's two-stress phrases, that this variety also appears in longer groups in the form of three-stress phrases and purely 'prose' passages, and that rather than talking about syntactical units one should speak about 'a breath-group'. Hollowell (1982:8) explains the fact that most of Wulfstan's works are not written with a two-stress-phrase pattern makes the passages which are stand out. Sheets (1964) has also analysed Wulfstan's writings from a rhythmical perspective, and concludes that Wulfstan's rhythm is closer to that of Medieval Latin writers such as Augustine and his followers in its use of parallelism, inflectional rhyme and cursus. DeLeeuw agrees with both theories. While accepting the importance of the two-stress phrase, he (1972:113–35) also studies the rhythm in Wulfstan's homilies according to manuscript punctuation and larger rhetorical devices. In short, Wulfstan scholars agree on the place of prose rhythm in his writings, even if they do not hold a common opinion about exactly how it works.

With regard to Wulfstan's vocabulary, it is important to note that the pseudo-Ciceronian *Rhetorica ad Herennium*, one of the most important manuals on rhetoric during the Middle Ages, recommends as one of the ways to achieve clarity the use of both everyday words ('usitata') and proper terms ('propria'), which are characteristic of the subject of the discourse (Caplan 1954:270–71). Similarly, Wulfstan's works combine everyday and technical terms (religious and legal).

Dobyns points out that the 750 nouns which appear in the texts edited by Bethurum (1957) reveal 'a close reliance upon the traditional and conventional elements of the language' (1973:1). This reliance, however, does not act as a constraint, but rather as a tool to create new terms. Dobyns (1973:1–2) explains that 87% of the simplex nouns used in Wulfstan's homilies are found in either Old English prose or poetry; and that, whereas only 38% of the pure compounds are recorded in texts outside his canon, their components are familiar words. This creativity is hardly achieved by

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any other Anglo-Saxon author, except for the *Beowulf*-poet.³⁴ This use of uncommon terms and unfamiliar collocations with everyday words has a clear stylistic purpose, identified by Fowler: 'One suspects that part of the force of the *Sermo Lupi* comes from the frequency with which the author bombards his audience with strange and powerful words' (1971:202). Particularly numerous among Wulfstan's derivatives are those which contain the prefix *un-*, with which 'Wulfstan can easily turn a word into its own antonym, providing ready-made echoing pairs for parallel constructions' (Chapman 1995:94).³⁵ Among his compounds those with *riht*- 'right; justice', *ðēod*- 'people, nation' or *woruld*- 'world' as the determinant are very common.³⁶

Besides the fact that compounds allow Wulfstan to create 'echoing pairs', his fondness for them may also reflect the fact that 'the compound is the semantically most intimately related syntagma' (Strauss 1980:306). Admittedly, ambiguity is inherent in its structure because the underlying morphological, syntactic and semantic relations between the determinant and determinatum are not explicitly stated. Wulfstan may have attempted to suggest a higher degree of intimacy between two terms by using a compound, and, in doing so, he may have been aware of the fact that what his words 'lose in precision, they gain in flexibility and suggestiveness' (Carr 1939:319). Likewise, despite their ambiguity, compounds offer the advantage of being considerably more semantically transparent than simplex coinages. Therefore, as noted by Downing (1977:837), they are ideal as *ad hoc* labels.

Wulfstan's vocabulary is also characterized by his preference for some words and constructions over others (e.g. *drihten* is favoured over Ælfric's *hāelend* as a reference to God) and his use of terms otherwise uncommon in

34. On the creativity exhibited by the *Beowulf*-poet, see, for instance, Niles (1981).

35. See Ingersoll (1978:26 and 41) on the weak rhetorical impact achieved by complexes with *un-* as opposed to those with *-lēas* 'less', *or-* and *æ-* 'without'.

36. On Wulfstan's taste for and coinage of *woruld*-compounds, see further Pons-Sanz (2004a).

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the Old English corpus (e.g. OE *gegenge* in the sense 'following, retinue').³⁷

Wulfstan's ability to use rhetorical devices has frequently been attributed to his acquaintance with not only *De Doctrina Christiana* and *Rhetorica ad Herennium*, but also many other manuals available to Anglo-Saxon authors (see Bethurum 1966:230; DeLeeuw 1972:94–113; and Jurovics 1978:206). However, Campbell (1978:187–88) indicates that this view is somewhat exaggerated. Similarly, Whitelock says, regarding Wulfstan's best known homily, that 'no work smells less of study' (1976:37); and Orchard adds Wulfstan's name to the list of 'literate Anglo-Saxons who chose to compose in the traditional oral style of vernacular verse' (1992:259), the most important route for the transmission of his rhetorical figures for sound effects.³⁸ An integrative view, such as that recently supported by Chapman, may be the best way to analyse Wulfstan's language. He argues in favour of interpreting the archbishop's stylistic devices as the result of 'the convergence of two well-established verbal traditions, Latin and the vernacular [...] the Latin learning strengthens the vernacular without co-opting it' (2002a:18).³⁹ As far as the present study is concerned, though, the sources from which Wulfstan learned the devices which characterize his style are not important. Its focus lies in their use.

37. On Wulfstan's lexical preferences, see further Jost (1950:110–271, especially 155–57), Ure (1957:37–39), Dance (2004:43–46) and Meaney (2006:128).

38. See Campbell (1967 and 1978), Reinsma (1977), Gneuss (1990:29) and Knappe (1996 and 1998) on the Anglo-Saxons' familiarity with classical rhetoric. These scholars agree that the Anglo-Saxons would have learned about it through the study of the *ars grammatica*. See Irvine (1994) on the development of the grammatical tradition in Europe.

39. See Funke (1962b) for a study of alliteration and rhyme in Old English homiletic texts. See Bethurum (1932) on their importance in Anglo-Saxon laws, and Harmer (1989:85–92) on their use in Anglo-Saxon writs.

CHAPTER 2

TERMINOLOGY AND PROCEDURAL DECISIONS

2.1 SIMPLEX, COMPLEX, DERIVATIVE AND COMPOUND

The present book observes the common distinction in current studies on morphology between those words which are not the result of any word-formation process, be it derivation or compounding, and those which are. Bauer's (1983:28–30) terminology is particularly useful because of its clarity, and is, therefore, adopted here. The words which are not the result of a word-formation process are termed *simplexes*, whereas those which are are referred to as *complexes*. Complexes can be further subdivided into:

(1) *derivatives*, when the word-formation process involved is *derivation*, which, for the purposes of this study, is understood as 'the morphological process that results in the formation of new lexemes' (Lyons 1977:522);¹
(2) *compounds*, when the word-formation process involved is *compounding*; Bauer defines a compound as 'a lexeme containing two or more potential stems that has not subsequently been subjected to a derivational process' (1983:29).

Chapman's (1995) is the most recent major study focused solely on Wulfstan's vocabulary. He includes under the term *compound* words created by both derivation and compounding, a decision which he justifies partially on the grounds that 'neither Wulfstan nor his contemporaries would have likely distinguished between compounds and words formed with affixes on the basis of whether or not the morphemes were independent' (1995:29). What is important for Chapman is that 'the explicit description of compounds in Latin grammar practically ensured that literate Anglo-Saxons

1. Other linguists (e.g. Matthews 1974:40) prefer to call the terms created as a result of derivation *complexes*.

2. TERMINOLOGY AND PROCEDURAL DECISIONS

would recognize compounds', and that '[w]e can be confident that Wulfstan knew a compound when he saw one, in English or in Latin' (1995:28; cp. Chapman 2005).² He admits, however, that on some occasions the distinction between the two formative processes is useful. Moreover, Chapman's dissertation is mainly oriented towards the stylistic effect of Wulfstan's use of 'echoing pairs' of compounds, which are linked by structural and lexical parallelism, rhyme and alliteration. It is understandable then that the different morphological structure of pairs such as *lahlice* 'lawfully' ~ *regollice* 'according to the monastic rules' and *māglagu* 'law as to relatives' ~ *regollagu* 'monastic law' is not very significant for him.

The aim of the present work, though, is not only to investigate the stylistic effect created by Wulfstan's use of Norse-derived vocabulary, but also to analyse the reasons for the selection of these terms instead of their native equivalents, as well as the lexical relations between the imported, the hybrid and the fully native terms. In this respect, the distinction between the two different formative processes facilitates the researcher's task in some cases, and allows for the presentation of the data according to modern trends in linguistics.

2.2 SEMANTIC FIELD, LEXICAL FIELD AND WORD-FIELD

The study undertaken in this book can be associated with the large number of works which have analysed different Old English semantic fields. They are reviewed by Strite (1989) and, less extensively, by Kastovsky (1992:400–07). In particular, this study could be counted among those works devoted to legal terms, such as Fischer's (1989) analysis of the replacement of the native *ǣ(w)* (on which see below, 3.2.3) by the Norse-derived loanword *lagu*, McKinney's (1994) doctoral dissertation on the Old English legal terms for 'peace' and 'protection' or Schwyter's (1996) study of the *theft*-field.³ The present book, however, differs from those works in

2. On the formal review of word-formation processes as part of the general study of Latin in Anglo-Saxon England, see also Chapman (2002a) and Gneuss (1990:22–25).

3. See Strite (1989:90–92) for a more complete list of works devoted to the Old English legal language.

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that it does not concentrate on any particular semantic field, but takes the Norse-derived terms as the starting point, and examines how they and their word-fields are integrated into their respective lexical fields. Thus, it combines stylistic, lexical and semantic analysis. Therefore, before any further comments are presented, an explanation of the way in which *semantic field*, *lexical field*, *word-field* and related concepts should be understood in this study seems necessary.

Strite (1989:1–2 and 16–29) provides a useful synthesis of the development of the semantic-field studies, but, since he concentrates mainly on works dealing with Old English, his exposition can be complemented by Öhman's (1953) overview of the field-theory in general, especially as far as its beginnings are concerned. The term *field* was used for the first time by Ipsen (1924:225), who coined the compound *Bedeutungsfeld* 'semantic field' to characterize a group of words which together form a unit of meaning. It was Trier (1931) who gave the notion of semantic field its 'scholarly impetus' in his study of the German words for intellect before the thirteenth century. Strite explains that

Trier saw language as an organism, with each part conceptually related [...] In Trier's field theory, language (*langue*) constitutes a conceptual field (*Begriffsfeld*) and a lexical field (*Wortfeld*). Trier used the image of a mosaic (*Wortdecke*). Words (a word and its conceptual cognates comprise a lexical field) acquire meaning through the neighbouring words of the mosaic (1989:19–20).

Öhman (1953:128) admits that the distinction between *conceptual field* (which is considered here to be synonymous with *semantic field*, according to Aertsen's 1987 inclusion of the former in the semantic domain) and *lexical field* is somewhat problematic; indeed, Trier himself did not always keep them separate. Aertsen distinguishes between them as follows:

The lexical field is made up of those lexical items which in some senses correspond to the conceptual field; the conceptual field in other words provides the common factor characterizing lexical items belonging to one and the same lexical field; the lexical field is then the concrete realization of the abstract conceptual field (1987:6).

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This study, accordingly, differentiates between a group of paradigmatically associated lexemes, i.e. a *lexical field*, and the semantic sphere they cover, i.e. a *semantic field*. The main emphasis, however, falls on the lexical field and, as explained above, 2.1, on the possible reasons for Wulfstan's selection of a Norse-derived term instead of a native synonym.

The term *word-field* is used here in the sense which McKinney (1994:18) attributes to it, i.e. it refers to the group of words consisting of a simplex and the complexes which have the simplex as their base (in a derivative) or as one of their roots (in a compound). This concept is very important for the study of *lagu* and *gríð*, which became highly productive in Old English and, in particular, in Wulfstan's idiolect (see below, Chapters 3 and 4).

2.2.1 COLLOCATIONS

Trier's (1931) image of the lexical field as a mosaic has frequently been criticized because it excludes any gaps or overlaps (see, for instance, Öhman 1953:132–34; and Lehrer 1974:16–18). Similarly, one should note that 'the majority of lexical fields are not so neatly structured or as clearly separated one from another as Trier originally suggested' (Lyons 1977:267). Trier's paradigmatic approach to the study of language was also considered to be inadequate by his contemporary Porzig (1934), who preferred a syntagmatic approach in which the basic semantic unit is believed to be a noun and a verb or a noun and an adjective, and 'these relationships form the basic articulations of the meaning system' (Öhman 1953:129). It was Kühlwein's (1967) achievement to synthesize the two approaches, and this synthesis is maintained in the present study. Notably, Leech (1974:10–27) identified *collocative meaning*, which consists of 'the associations which a word acquires on account of the meanings of words which tend to occur in its environment' (Leech 1974:20), as one of the five types of *associative meaning*.⁴

The term *collocation* is employed here in the sense described by Cruse: 'sequences of lexical items which habitually co-occur, but which are

4. On the controversy regarding whether the collocation of a word is part of its meaning, see Halliday (1966:156–60) and Lyons (1966:295–98); on the methods of investigating collocations, see Sinclair (1966) and Greenbaum (1970).

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nonetheless fully transparent, in the sense that each lexical constituent is also a semantic constituent' (1986:40). Collocations, however, are not generally used in this study in an attempt to isolate the meaning of specific terms, but rather as a tool to explain Wulfstan's idiosyncratic use of Old English and his contribution to the widening of the senses of the newly-imported Old Norse terms.

2.3 NORSE-DERIVED VOCABULARY

2.3.1 TERMINOLOGY

The volume devoted by Gómez Capuz (1998) to the identification and analysis of the terminology used to describe the process and results of linguistic transfer from one language to another bears witness to the difficulty involved even in their naming, let alone their correct identification. *Loan* and *borrowing* are the conventional terms used to describe the results of that transfer despite their imperfect descriptive character.⁵ For lack of a better term, *loan*, which is the determinant in all the compounds chosen to describe the different results of this process, is employed here.

This superordinate can be further divided into different hyponyms. As pointed out by Dance, the conventional way to subdivide it has to do with

the extent to which they [i.e. the loans] reproduce the model of the originating system, and therefore the degree to which they show substitution (morphemic, phonetic, semantic) from the system of the recipient language (2003:74).

Haugen's taxonomy offers a good example in this direction, and is, therefore, adopted here (with slight modifications) for the description of the

5. Haugen refers to the absurdity of the metaphor involved because 'the borrowing takes place without the lender's consent or even awareness, and the borrower is under no obligation to repay the loan' (1950:211).

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Norse-derived vocabulary in the Wulfstanian canon.⁶ He (1950:215ff) differentiates three categories from a formal point of view:

(1) *Loanwords* involve morphemic importation and a variable degree of phonemic substitution.⁷

(2) *Loanblends* show morphemic substitution as well as importation. They must be distinguished from what Haugen calls *hybrid creations*, i.e. terms which contain native and imported material, but which have not been created as part of the borrowing process. Rather, they bear testament to the ‘intimate fusion into the language of the borrowed material since it has become productive in the new language’ (Haugen 1950:221). Instead of *hybrid creation*, the term *new-formation* is preferred here because it is more common, and encompasses a compound like *griðlagu*, which is made up of two loanwords (see below, 3.3 and 4.2).

(3) *Loanshifts* show only morphemic substitution without importation. They include: (3.a) *loan-translations*, which represent the borrowing of a structural pattern in which speakers replace the foreign constituents with the equivalent elements in their language while retaining the meaning of the original term; and (3.b) *semantic loans*, which have a native form but an imported meaning.

The nature of the data and the aim of the present study also demand the use of a broader term which includes both loans and new-formations. The adjective *Norse-derived* is used for that purpose (cp. Dance 2003:72). This adjective simply attempts to describe the etymological origin of a word or part of it, and no implication concerning the perception which contemporary users may have had about these terms should be read into it. Similarly, the adjective should in no way be associated with the morphological process described in 2.1 as *derivation*.

The classification presented above becomes much more complicated when the two languages in contact are as closely related as Old English and Old Norse. When decisions have to take into account the similarity between

6. For alternative ways in which loans can be classified, see Fischer (2003).

7. On the differing degrees of phonemic substitution in Norse-derived loanwords in Old and Middle English and the information this offers about whether the terms were borrowed by English speakers or ‘imposed’ by Old Norse speakers learning English, see Townend (2002:201).

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the two languages, as well as the scarcity of extant Old English texts and the late date of the Scandinavian sources which can be consulted to determine the existence of a word in Old Norse, the momentary sense of security which linguists equipped with the above taxonomy feel diminishes very rapidly. The following sections analyse the problems associated with the Scandinavian sources and the closeness of the two languages, and their effects on etymological decisions.

2.3.2 SCANDINAVIAN SOURCES: LEGAL CODES

Old Norse was not written down in manuscripts until the post-Viking Age period (i.e. after *ca*1050), which makes its written attestations contemporary with Middle English rather than Old English.⁸ It is beyond the scope of this study to present a thorough analysis of the earliest textual evidence from Scandinavia. Accordingly, since the main focus of this book is on legal terms, this section concentrates on legal documents.

The following table presents a summary of the most important extant documents of a legislative nature in the vernacular until the end of the fourteenth century.⁹

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8. There are thousands of runic inscriptions from this period (see, for instance, Jansson 1987; Knirk et al. 1993; and Spurkland 2005). However, their brevity and formulaic character make them much more useful for the study of the early stages of Old Norse (see, for instance, Krause 1971; Antonsen 1975; and Nielsen 2000) as well as historical and social aspects (see, for instance, Larsson 1990; Wilson 1994; and Sawyer 2000) than for the purposes of the present study.
 9. Table 2 gives an approximate date for the composition and the earliest extant manuscripts of the Scandinavian legal texts. The information in the table relies on the following sources:
 - (1) The identification of the texts and their dating generally follows Fenger et al. (1993). Further information on the dates of the texts originates from the following works: (1.a) Norway: Taranger (1926 and 1928), Bagge et al. (1973), Robberstad (1976:155–60), Andersen (1977), Kleiva (1985) and Eithun et al. (1994); (1.b) Denmark: Jørgensen (1971) and Frederiksen (2002); (1.c) Sweden: the introduction to the law-codes in Holmbäck & Wessén (1933–46), Robberstad (1976:124–25) and Carlquist (2002).
 - (2) The date of the oldest manuscripts is based on the following works: (1.a) Iceland: Halldórsson's introduction to his 1970 edition of *Jónsbók* and the indices in the

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Code	Date*	Oldest MS(S)	Date	Edition
ICELAND				
<i>Grágás</i> , including the Old Church Law	1117/18 x 1271	<u>Fragmentary</u> : AM 315 d fo. <u>Main MSS</u> : <i>Konungsbók</i> or <i>Codex Regius</i> (traditionally, GKS 1157 fo.) and <i>Staðarhólsbók</i> (traditionally, AM 334 fo.), both in Reykjavík, Árni Magnússon Institute	s. xii ² s. xiii med. s. xiii ²	Finsen (1852–70, 1879 and 1883)
<i>Járnsíða</i> [Jn.]	1271	<i>Staðarhólsbók</i>	s. xiii ²	<i>NGL</i> I, 259–300
Bishop Árni Thorláksson's New Church Law	1275	AM 49 8°	s. xiii/ xiv	<i>NGL</i> V, 16–56
<i>Jónsbók</i>	1281	<u>Fragmentary</u> : AM 134 4° <u>Whole Text</u> : AM 351 fo. [†]	s. xiii/ xiv s. xiv ²	<i>NGL</i> IV, 185–340 Halldórsson (1970:1–280)
Revision of <i>Jónsbók</i>	1294	AM 343 fo.	s. xiv ¹	Halldórsson (1970:281–89)
Revision of <i>Jónsbók</i>	1305	AM 343 fo.	s. xiv ¹	Halldórsson (1970:289–92)
Revision of <i>Jónsbók</i>	1314	AM 343 fo.	s. xiv ¹	Halldórsson (1970:293–300)

* The date provided here is that of the extant text.

† This is the only manuscript among the oldest which is completely free from any interpolation from the 1294 revision.

Ordbog over det norrøne prosasprog (hereafter *ONP*); (1.b) Norway: Taranger (1926 and 1928), Rindal (1987), the introduction to each text in *Norges gamle love indtil 1387* (hereafter *NGL*) and the indices in *ONP*; (1.c) Denmark: Jørgensen (1971) and the introduction to each text in *Danmarks gamle købstadlovgivning* (hereafter *DGK*), *Danmarks gamle landskabslove med kirkelovene* (hereafter *DGL*), and *Den danske rigslovgivning indtil 1400* (hereafter *DR*); (1.d) Sweden: the introductions to the law-codes in *Corpus iuris Sueo-Gotorum antiqui: Samling af Sweriges gamla lagar* (hereafter *SGL*), the introduction accompanying Holmbäck & Wessén's (1933–46) translations and Carlquist (2002).

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Code	Date	Oldest MS(S)	Date	Edition
NORWAY				
Law of the Gulathing [Gul.]	‘Olaf’s text’: <i>a</i> 1164; ‘Magnus’s text’: 1150 x 1200	<u>Fragmentary</u> (Olaf’s text only): AM 315 f fo. and NRA 1 B <u>Whole Text</u> : E don. var. 137 4° (<i>Codex Ranzowianus</i>)	s. xiii ¹ s. xiii ²	Eithun et al. (1994) <i>NGL</i> I, 3–118
Christian laws of the Borgarthing	<i>ca</i> 1100	AM 78 4° NKS 1642 4° AM 31 8°	s. xiii/ xiv s. xiv ¹ s. xiv ¹	<i>NGL</i> I, 339–72
Christian laws of the Eidsivathing [Eids.]	<i>ca</i> 1100	AM 68 4°	s. xiv ¹	<i>NGL</i> I, 375–406
Bjarkøy laws [Bj.]	<i>ca</i> 1200	AM 315 g fo.	s. xiii med.	<i>NGL</i> I, 303–36
Law of the Frostathing [Frost.]	<i>ca</i> 1200	<u>Fragmentary</u> : NRA 1C IV and AM 315 k fo. <u>Whole text</u> : six copies from lost <i>Codex Resenianus</i> (from <i>ca</i> 1260)	s. xiii ¹ s. xvi/ xvii	<i>NGL</i> I, 121–258
Fragment of laws of the Borgarthing and/or Eidsivathing	<i>a</i> 1268	NRA 1 A	s. xiii ¹	<i>NGL</i> II, 522–23
New Christian laws of the Gulathing	1267	AM 62 4°	s. xiv ¹	<i>NGL</i> II, 306–38
New Christian laws of the East Norwegian provinces	1268	GKS 3261 4°	s. xiv ¹	<i>NGL</i> II, 293–306
Magnús Law-mender’s rural code [MLL]	1274	NKS 1640 4°	s. xiii ²	<i>NGL</i> II, 7–178
<i>Hirðskrá</i> (‘Retinue Book’)	1263 x 1284	AM 322 fo., NRA 19 A and NRA 29 B	s. xiii/ xiv	<i>NGL</i> II, 387–450
Magnús Law-mender’s urban code	1276	NKS 1640 4°	s. xiii ²	<i>NGL</i> II, 185–290
Archbishop Jón’s ecclesiastical code	1273	AM 65 4° and Oslo 317 4°	s. xiv ¹	<i>NGL</i> II, 341–86

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Code	Date	Oldest MS(S)	Date	Edition
DENMARK				
Christian law for Scania	ca1171	Stockholm B 74	s. xiii med.	<i>DGL</i> I, 821–78 <i>SGL</i> IX, 381–95
Veder Law	ca1182	De la Gardie 44 E don. var. 136 4°	s. xv ¹	<i>DR</i> I–V
Valdemar's Zealandic Law [VSjL]				
1) <i>Arvebok</i> and <i>orbodemål</i>	a1216	E don. var. 136 4°, based on an older ms of Jep Svailes í Wæ (ca1430)	1472	<i>DGL</i> VII
2) 'Older' VSjL	1216 x 1241	AM 24 4°	s. xiii ²	<i>DGL</i> VIII, 3–244
3) 'Younger' VSjL	p1241	<u>Fragmentary</u> : AM 455 12° <u>Whole text</u> : Stockholm C 69 8°	s. xiii/ xiv s. xiv/xv	<i>DGL</i> VIII, 247–442
Christian Law for Zealand				
1) 'Older' version	a1241	Stockholm C 69 8°	s. xiv/xv	<i>DGL</i> VIII, 445–67
2) 'Younger' version	p1241	AM 455 12°	s. xiii/ xiv	<i>DGL</i> VIII, 468–81
Law of Scania	ca1210	Stockholm B 74	s. xiii med.	<i>DGL</i> I <i>SGL</i> IX, 3–238
Municipal Law of Scania	ca1210 x 1350	Ledreborg 12	s. xiv ¹	<i>SGL</i> IX, 398–429
Jutish Law [JL]	1241	Stockholm C 37	s. xiii ²	<i>DGL</i> II and III
Erik's Zealandic Law [ESjL]	1241 x 1250	AM 455 12°	s. xiii/ xiv	<i>DGL</i> V
Erik Klipping's Nyborg Decree for North Jutland	1284	Stockholm C 63 and NKS 295 8°	s. xiv ¹	<i>DR</i> 109–61
Queen Margrete's Law	1396	Stockholm B 79	s. xv/xvi	<i>DR</i> 334–44
Municipal laws and privileges:*				
1) 'Birkeret from Helsingborg'	ca1216 x 1250	Ledreborg 12, 12°	s. xiv/xv	<i>DGK</i> IV, 4–15 and 151–60
2) Flensborg	ca1315	Flensborg Perg. hs.	ca1315	<i>DGK</i> I, 113–35

* Many of the municipal as well as the guild regulations are Danish translations of Latin originals. The details presented here belong to the Danish texts dating from the fourteenth century or earlier.

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Code	Date	Oldest MS(S)	Date	Edition
Regulations for St Cnut's guild:				
1) Flensborg	ca1200 x 1400	Slesvig, Royal Municipal Archive	s. xiv/xv	Nyrop (1895– 1904:I, 7–15)
2) Odense	ca1200 x 1400	NKS 298 8°	s. xiv/xv	Nyrop (1895– 1904:I, 20–31)
SWEDEN				
'Older' Law of Västergötland [VgL I]	ca1220	Stockholm B 193 Stockholm B 59a	s. xiii med. s. xiii ²	<i>SGL</i> I, 3–74
Law of Gotland and <i>Guta Saga</i>	ca1220	Stockholm B 64	s. xiv med.	<i>SGL</i> VII Pipping (1905–07)
'Bjärko Law'	ca1200 x 1250	Stockholm B 58	s. xiv med.	<i>SGL</i> VI, 113–34
'Younger' Law of Västergötland [VgL II]	1281 x 1300	Stockholm B 58	s. xiv med.	<i>SGL</i> I, 77–253
Law of Östergot- land [ÖgL]	ca1290 x 1303	Stockholm B 50	s. xiv med.	<i>SGL</i> II
Law of Uppland [UL]	1296	Uppsala 12	s. xiv med.	<i>SGL</i> III
Law of Södermanland [SdmL]	ca1300 x 1326	Stockholm B 53 NKS 2237 4°	s. xiv ¹ s. xiv (p1335)	<i>SGL</i> IV Karlsson (1904)
Law of Västman- land [VmL]	ca1296 x 1347	Stockholm B 56 and B 57	s. xiv ¹	<i>SGL</i> V, 70–239
Christian laws of the Law of Småland	ca1296 x 1390	AM 51 4°	s. xiv med.	<i>SGL</i> VI, 97–110
Law of Dalarna	1318 x 1347	Stockholm B 54	s. xiv med.	<i>SGL</i> V, 3–66*
Law of Hälsing- land [HgL]	ca1330	Uppsala Un. B 49	s. xiv med.	<i>SGL</i> VI, 3–93
Magnus Eriksson's national law	ca1350	AM 51 4°	s. xiv med.	<i>SGL</i> X
Magnus Eriks- son's city law	ca1350	Stockholm B 154 Stockholm B 170	s. xiv ²	<i>SGL</i> XI

* In *SGL* it was considered to be an older version of the Law of Västmanland.

*Table 2. Main legal documents from Scandinavia until the end of the
fourteenth century*

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Table 2 shows that even the earliest Scandinavian codes were written long after Wulfstan's texts, and that the manuscripts in which they are preserved are in some cases much later. The temporal gap between the two corpora under comparison and the linguistic and social differences between Old English and Old Norse speakers are associated with three main problems for a semantic study:

(1) One cannot know whether, at the time of the linguistic contact, an Old Norse word had a sense which is not attested in the extant material (or, similarly, whether a word early attested in Old English had a sense which is commonly assigned to its contact with an Old Norse term before that contact took place; cp. Gneuss 1996:143).

(2) Semantic change during the process of linguistic transfer and accommodation of a loan is very common (see below). Therefore, the possible derivation of a word from a foreign etymon should not be discarded solely on the basis of their having different meanings, especially if the two meanings are closely related.

(3) The chronological gap between the two corpora makes it difficult to deal even with those words generally accepted as Old Norse loanwords (e.g. *grið*). As suggested below, 8.2.2.3, some of the uses in Scandinavian texts could actually be the result of – in Haugen's metaphorical terminology (see note 5 in this chapter) – the repayment of the loan by the borrower, i.e. the adoption by Old Norse speakers of a new sense, fully developed in England, for a word which had itself been imported from Scandinavia.

The second problem, which is closely connected with the first one, requires further comment, and the remaining lines in this section, which are based on Gómez Capuz's (1998:209–54) study, are devoted to that purpose. Hope's (1971:609–68) division of the continuous process through which a loanword is integrated into the borrowing language is a useful tool to analyse any semantic change the loanword may undergo. He distinguishes three phases in that process:

(1) The first phase corresponds to the 'act of transfer': the loanword loses its morphemic and semantic transparency, and becomes separated from the morphological and semantic paradigms in which it is included in the source language. Hence, it suffers some instability and formal anarchy. Words in the source language can be polysemic, and can be associated with different emotive and subjective connotations. Yet, when transferred to the borrowing

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language, they are ‘stripped’ of these connotations, and borrowed as monosemic terms (Hope 1971:661–64).

(2) The second phase, which Hope names the ‘interim period’, is a phase of fluctuation and assimilation during which the loanword becomes integrated into the systems (formal and semantic) of the borrowing language. From a semantic perspective, this assimilation can have different consequences, as described by Hope (1971:664–68), Deroy (1980:228–70) and Gusmani (1981:103–67): (2.a) a word can be adopted in a particular technolact, and this may imply a process of semantic restriction (e.g. ON *lqg* ‘law’ > OE *lagu* ‘law’, initially a purely legal term associated with the newcomers’ legal practices);¹⁰ (2.b) the term may undergo a process of semantic widening by being adopted in everyday usage; (2.c) the term may undergo a process of semantic specialization, according to which the loan may become the core or, more commonly, the marked term as opposed to a native synonym (which may eventually lead to the loss of either), or its assimilation may require the native lexical field to be restructured (e.g. the distribution of the semantic fields of ‘peace’ and ‘protection’ between OE *frið* ‘peace’, *grið* ‘peace, truce’ and *mund* ‘hand; protection’; see below, Chapter 4). Folk etymology plays a significant role in the process of semantic assimilation of a borrowed term. Since the word has been separated from its original paradigms, it is particularly vulnerable to being identified with similar words in the borrowing language, and hence to being assigned a meaning removed from that which it had in the source language.¹¹

(3) The third phase allows for the exploitation of the loanword. The word partakes of the creative processes of the language, from both a morphological and a semantic point of view. Thus, it forms new complexes, and appears in new collocations, which widens its ‘semantic range’, and

10. Given that Old Icelandic is the best attested dialect of Old Norse during the early literary period, Old Norse terms are quoted in their Old Icelandic form. Unless otherwise specified, their meanings follow those presented by Cleasby & Vigfusson (1957); whenever available, the definitions in *ONP* have also been consulted.

11. Cp. Fell’s (1985:88) hypothesis on the reasons for the fast semantic widening of OE *grið* (see below, 4.1.1.2). On the influence of folk etymology on the meaning of OE *bōnda* ‘householder; husband’, see below, 6.1.1.1; on its influence on OE *ūtlah* / *ūtlaga* ‘outlaw(ed)’ and *inlagian* ‘to reverse sentence of outlawry’, see below, 3.1.3.2.

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allows it to be used metaphorically.¹²

This tripartite division is, however, particularly useful when dealing with loanwords in modern languages, for which written records are, in general, widely available. Thus, despite its applicability to the Anglo-Scandinavian contact, the scarcity of written records from the contact period should be counted as an additional problem to the fact that, as explained above, these phases attempt to divide a continuum, where boundaries are not always clear. For instance, one could suggest that, when the languages involved are as close as Old English and Old Norse (see below, 2.3.3), folk etymology may be at work already during the first phase, and this suggestion could be exemplified by the fact that OE *hold* ‘holder of allodial land, ranking below that of a jarl’ (< OWN *hauldr* ‘free owner of allodial land’ or ON *hǫldr* id.) seems to have been associated with the native adjective *hold* ‘gracious; loyal’ fairly early (see below, 2.3.4.1). However, it is impossible to know whether this association took place during the ‘act of transfer’ itself, or whether there was some vacillation in the vowel which was later solved following the association of the loanword with the adjective. Similarly, it is not possible to know whether OE *unlagu* ‘bad law, illegality’, commonly derived from ON *úlqg* (on the meaning of which see below, 3.3), was first imported with the meaning ‘illegality, illegal act’, only later developing the meaning ‘bad law’ by association with other native words where the prefix *un-* meant ‘bad’, or whether the word was adopted (*pace* Hope 1971) as a polysemic term following its uses in Old Norse. The latter suggestion is not supported by the extant records because the meaning ‘bad law’ for ON *úlqg* is not recorded in the Scandinavian legal texts consulted. Nonetheless, ON *ú-* with the meaning ‘bad’ is well-attested (e.g. ON *úveðr* ‘bad weather’ and *údaunan* ‘bad smell’). However, it could be the case that the Old English word was a new-formation, which originally had the meaning ‘bad law’, and, by association with OE *unriht*, was also used to indicate ‘illegality, injustice’ (see below, 3.2.5.2 and 3.3).

12. Once in this phase, the word has become fully integrated in the language. Therefore, it may be affected by the same mechanisms of semantic change as native terms (see Waldron 1979: Chapters 6–9; and Smith 1996: 119ff). On more general laws of semantic change, see Aitchison (2001: 123–25).

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2.3.3 LINGUISTIC SIMILARITY BETWEEN OLD ENGLISH AND OLD NORSE

The similarity between the two languages from a phonological and a structural point of view makes it very hard to ascribe some terms to a specific category in the taxonomy explained above, 2.3.1:¹³ e.g. it is extremely difficult to decide whether OE *friðlēas* ‘outlawed’ (cp. ON *friðlauss* ‘outlawed, proscribed’) should be assigned to the category of loanblend or loan-translation because it is impossible to know whether it should be analysed as ON *frið(r)-* + OE *-lēas* or as OE *frið* + OE *-lēas* (see below, 4.1.1.1). Since OE *frið* is recorded in texts antedating the Anglo-Scandinavian contact, *friðlēas* is here identified as a loan-translation, but this assignation arises from the need to tag the word, and not from the absolute exclusion of the alternative. Similar problems arise when one has to decide between the characterization of a term as a loanblend or a new-formation. Each word requires individual treatment. The decisions taken here in this respect are greatly influenced by Chapman’s (1995 and 1998) identification of two important tendencies in Wulfstan’s lexicon:

(1) Wulfstan preferred some types of complexes over others, and, once one complex of a specific type had been created, many others followed, i.e. in many cases Wulfstan dealt with terms which are ‘type familiar’ rather than being ‘item familiar’.¹⁴

13. This ‘structural’ similarity is also shared by the other Germanic languages (see Carr 1939:Chapter 3; and Lowe 1972). The closeness between Old English and Old Norse, on which see Nielsen (1985:187–215), is commonly studied in connection with the possible intelligibility of their speakers. While most scholars argue in favour of mutual intelligibility as long as speakers were willing to cooperate (see, for instance, Bernárdez Sanchís 1993; Milroy 1997:319; and Townend 2002), others remain sceptical (see, for instance, Kastovsky 1992:328–29; and Gneuss 1996:129–31).

14. Meys distinguishes between *type familiarity* and *item familiarity* in these terms: ‘item familiarity [...] implies direct knowledge of particular phonological forms plus direct knowledge of any underlying structure – regular and/or idiosyncratic – associated with that particular phonological form. [...] [P]roductive compound-forming patterns, [...] which map abstract syntactic configurations onto other “condensed” abstract configurations, are type-familiar. They are abstract pre-generated paths by means of which novel regular compounds can be formed’ (1975:61).

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(2) Because of the way in which ‘Wulfstan mixes and matches the constituents of the compounds [or complexes, according to the terminology of this book], interchanging them in several permutations of rhyming pairs’ (Chapman 1998:18), it is reasonable to think that he recognized the composite structure of the complexes which he used for stylistic purposes. Accordingly, Chapman (1995:156 and 1998:20) concludes that, even when Wulfstan used a compound recorded in earlier writings, it would not be impossible that he had ‘generated it anew’, basing himself on other terms of his vocabulary of a similar type.

Thus, the identification of a Norse-derived term as either a loanblend or a new-formation in this study rests on the way in which the term is used in Wulfstan’s idiolect, a comparison with terms belonging to the same type and its textual history. If a complex can clearly be associated, as far as its structure is concerned, with others of the same type, if its meaning is clearly retrievable by conducting a simple morphological analysis, and, especially, if there are very clear stylistic reasons for the use of the compound, it is interpreted as a new-formation, even if there exist close equivalents in Old Norse (e.g. OE *lahbryce* ‘breach of the law’, cp. ON *lqgbrot* id.). This approach implies that the discussion of the etymology of the *lagu*- and *grið*-complexes and those containing *eorl* ‘earl (originally Danish title = the native *ealdormann*)’ and *ðræl* ‘slave’ has to be presented at the end of their respective sections (viz. 3.3, 4.2, 6.1.1.2 and 6.1.2.1), once their use has been analysed. Thus, the decisions made in this study apply mainly to Wulfstan’s works, and their extrapolation from the Wulfstanian canon to the general Old English vocabulary has to be done with this caveat in mind.

The two aforementioned problems assume that a particular lexeme within a complex is identified as Old Norse in origin, but this identification itself remains a highly controversial topic in some cases. This is the concern of the remaining lines of this chapter.

2.3.4 THE IDENTIFICATION OF THE NORSE-DERIVED LOANS IN WULFSTAN’S WORKS

Besides the textual history of the term and, closely linked with it, the attestation of the word in other West Germanic languages, there are two main features on which scholars rely for the identification of loans, viz. their

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form, which comprises their phonology and morphology, and the cultural baggage associated with them.

2.3.4.1 PHONOLOGICAL EVIDENCE

Björkman affirms that

if a word in English has a form which cannot be explained by means of internal English sound-laws, but which is easily accounted for by assuming a Scandinavian origin, we are, for the most part, entitled to consider the word in question a Scandinavian loanword (1900–02:30).

Given the different evolution of proto-Germanic sounds in the two languages, the phonology of a word is the strongest piece of positive evidence to identify a word as an Old Norse loanword. However, as far as the terms dealt with in this book are concerned, this is not the most important criterion, for only a few of them can be assigned a Norse origin because of their form. Furthermore, even the form of some of those which are commonly analysed in this way is problematic, either in all their attestations in *OEC* or in their form in the Wulfstanian corpus in particular. The following lines present the phonological reasons given in favour of the etymology of some of the terms discussed in this book and the problems which they involve. The reasons suggested in the first instance are those presented by Björkman (1900–02), but the problems which they entail lead to the suggestion of other possible criteria.

A. PGmc */au/ > OE /æ:ɑ/ vs ON /au, ɔu/ (> OE /o:/: e.g. L *caupo* ‘petty tradesman’ > OE *cēap* ‘purchase, bargain’ vs ON *kaup* id. > OE *-cōp* id.¹⁵

(1) The clearest example of the different Old English and Old Norse reflexes of PGmc */au/ is the monetary term *ōran* ‘unit of account of Danish origin’,

15. See Campbell (1959:§§132 and 135) and Hogg (1992b:§5.13) on the reflex of PGmc */au/ in Old English, Noreen (1923:§55) and Brøndum-Nielsen (1950:§§70 and 107–08) on its reflex in Old Norse, and Björkman (1900–02:68–81) on the use of this criterion for the identification of Old Norse loanwords in English.

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the form of which indicates that its ultimate etymon, viz. *L aureus* ‘golden’, cannot have been imported directly into Old English because the Proto-Germanic reflex of *L /au/*, viz. **/au/*, would have adopted the form */æ:a/* in Old English. Instead, the term is commonly identified as a loanword with ON *aurar* ‘money’ as its direct etymon.¹⁶

(2) Björkman (1900–02:77) also includes the Old English social term *hold* ‘holder of allodial land, ranking below that of a jarl’ in this category, and identifies OWN *hauldr* ‘free owner of allodial land’ (< PGmc **xalipz*) as its etymon. This suggestion may be supported by the fact that Noreen (1923:§105) notes that, although the presence of OWN */au/* before */ng/* and */nk/* is a change that only started to be apparent in the fourteenth century (cf. ON *hqldr*), sporadic traces of the sound change taking place before */g/*, */k/*, and */l/* + consonant are attested earlier, OWN *hauldr* being one of them.¹⁷ Two possibilities then are the most likely etyma for OE *hold* with the aforementioned sense, viz. OWN *hauldr* and the equivalent ON *hqldr*. If the latter is identified as the etymon of OE *hold*, then the phonological reason to assign it a Norse origin is rather the presence of the vowel <o> instead of the expected <a> as the result of restoration of */a/* when a back vowel follows in the next syllable.¹⁸ Had the word a native origin, the expected form would be **haluð* or **haloð* (cp. OE *hæleð* ‘man, hero’ < PGmc **xalipz*).¹⁹

Old English spelling does not allow for a straightforward distinction between long and short vowels. Thus, the form recorded in Old English may actually be *hōld*. Bosworth & Toller (1898–1972:s.v. *hold*) and Clark Hall (1960:s.v. *hold*, III) identify the vowel as short, however, and this is the length assumed in the following explanation.

16. The meanings of Latin terms follow those presented by Lewis & Short (1879). On the etymology of ON *aurar*, see also Engeler (1991:127ff).

17. This term is recorded, for instance, in Frost. X.37, X.46, XI.21 and XIX.7 (see above, Table 2).

18. On this development, see Campbell (1959:§§157–63) and Hogg (1992b:§§5.35–38).

19. OE *hæleð* and ON *hqldr* are reflexes of the same Proto-Germanic root with ablaut variation (cp. Orel 2003:s.v. **xalipz*).

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If the etymon of OE *hold* were OWN *hauldr*, the expected form in Old English would be **hōld*. If its etymon were ON *hǫldr*, this word should be contrasted with *lagu* ‘law’ (< ON *lǫg* id.). Townend (2002:203) believes that the form of the Norse etymon of OE *lagu* during the Viking Age was **lagu*, where *u*-umlaut had not yet taken place.²⁰ However, as pointed out by Dance (2003:115), the fact that the root vowel is rendered as <a> cannot be taken as indication that the change had not taken place yet in Old Norse because the resultant sound [o] (low, back and rounded) would have been integrated in Old English as part of the archiphoneme /A/. This integration would have been possible because in Old English rounding was not a distinctive feature for low, back phonemes. As far as ON *hǫldr* is concerned, /u/ must have been syncopated for the change /lð/ > /ld/ to have taken place (Noreen 1923:§238 assigns it to at least 900); therefore, *u*-umlaut must already have been at work.²¹ Thus, in the case of *hold* Old English speakers chose the other option available in their phonological system to represent the Old Norse sound, i.e. /o/. This selection or the presence of /o/ instead of /o:/ (if one believes the etymon to be OWN *hauldr* instead) can be explained in terms of the possible influence of the native adjective *hold* (cp. Dance 2003:152, note 135). The fact that a nobleman would have been expected to be both ‘loyal’ and ‘gracious’ would have facilitated this association.²²

B. PGmc **/a:/ + nasal* > OE /o:/ vs ON /ɑ:/: e.g. OE *mōna* ‘moon’ vs ON *máni* id. (< PGmc **mānōn* < PGmc **mēnōn*)²³

20. Townend’s view agrees with Noreen’s (1923:§80.2) dating of *u*-umlaut *ca*900 in cases where /u/ was kept longer. Brøndum-Nielsen (1950:§85, Anm. 3) also implies this dating.

21. Noreen (1923:§80.1) assigns the change in words with unstressed and early syncopated /u/ to *ca*700 x 900. The dating of the various stages of *u*-umlaut is, however, highly problematic (see, for instance, Benediktson 1982).

22. Weinreich explains that ‘potential homonymy as a source for resistance to transfer – at least as far as bilinguals are concerned – must [...] be regarded with skepticism’ (1963:61).

23. On this development in Old English, see Campbell (1959:§127) and Hogg (1992b:§3.22). For a general view of the reflexes of this sound in the Germanic languages, see Robinson (1992:250–51).

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The identification of ON *nám* ‘seizure, occupation’ as the etymon of OE *nām* has been suggested, among others, by Steenstrup (1882:185), Björkman (1900–02:83), Robertson (1925:355, note to LawIICn 19), de Vries (1961:s.v. *nám*), Peters (1981b:90) and Wollmann (1996:234). The phonological explanation works best for the form <nam>, which is recorded in the version of LawIICn 19 in Cambridge, Corpus Christi College MS. 383 (hereafter Corpus 383) and London, British Library MS. Harley 55 (hereafter Harley 55). Ker (1990:nos. 65 and 226) assigns the parts of Corpus 383 and Harley 55 which contain *II Cnut* to the late eleventh or early twelfth century and to the middle of the twelfth century, respectively. The same spelling is used in the translation of LawIICn 19 in the *Quadripartitus*, *Instituta Cnuti* and LawLeisWl I.44, as well as in LawHn 29.2. However, the term recorded in Nero A.i is <næm>. Ker (1990:no. 163) assigns the part of this manuscript containing *I–II Cnut* (fos. 3–57) to the middle of the eleventh century. This date is the closest to Wulfstan’s composition, but this, by itself, is no guarantee that its reading is also the most faithful to the original. From a stylistic point of view, neither is preferable over the other because both preserve the alliteration in /n/ which dominates the first part of the decree (‘And ne nime nan man nane **n**[a/æ]**m**e ne innan scire ne ut of scire...’).²⁴ While *nām* contains a back vowel like the three previous words, *næm* introduces some variation to an utterance which bears some resemblance to a tongue-twister, and contains a front vowel, the character of which associates it with both /i/ in *niman* ‘to take’, as a front vowel, and /a(:)/, as a low vowel. Similarly, both *nām* and *næm* preserve the association of the noun with the etymologically related verb *niman*. Thus, it is not clear whether Wulfstan himself used the loanword or the native *næm*, a feminine *ō*-stem noun related to the verb (*ge*)*næman* ‘to take away’.²⁵ That he was familiar with the native verb is demonstrated by the existence of the purely Wulfstanian term *nȳdnæman* ‘to force, ravish’ (e.g. LawVIATR 39).

Bosworth & Toller (1898–1972:s.v. *nám*) and Björkman (1900–02:83) translate OE *nām* as ‘seizure of property belonging to one which is in the

24. ‘And no-one shall make distraint of property either in the shire or outside it’. This context is quoted more extensively below, 5.3.2.

25. On the etymology of this verb, see Orel (2003:s.v. **nēmjanan*).

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hands of another'. This translation makes $n[\bar{a}/\bar{æ}]m$ a synonym of the native *ætfeng*, and grants it a meaning which the word could have developed by itself without any external influence (*nām* is otherwise attested with the meaning 'taking, receiving').²⁶ Clark Hall (1960:s.v. *nām*) translates *nām* as 'legal seizure' without any further specification, whereas Robertson (1925:406) and Whitelock (1979:457) attribute to $n[\bar{a}/\bar{æ}]m$ in LawIICn 19 the more specialized meaning 'distrain', which corresponds to Liebermann's (1903–16:III, s.v. *nām*), Hofmann's (1955:§311) and Peters's (1981b:90) 'Zwangspfand'. The technical sense 'distrain' takes the meaning of $n[\bar{a}/\bar{æ}]m$ in LawIICn 19 closer to those which the glossary included in the last volume of *SGL* gives for *nám*: (1) 'private taking of a pawn which the creditor carries out in the house of the debtor to ensure the payment of or the security for his claim'; (2) 'the possession taken in this way'.²⁷

26. The *Thesaurus of Old English* (hereafter *TOE*) may support this interpretation by giving OE *ætfeng*, *nām* and *nām* as the head-words for 14.03.03.02.01 'attaching, distrain of stolen property'. The previous sentence contains the modal verb *may* because the phrase 'distrain of stolen property' becomes unclear when interpreted with regard to the equation which the *Oxford English Dictionary* (hereafter *OED*) establishes between 'the action of distraining' and 'the legal seizure and detention of a chattel, originally for the purpose of thereby constraining the owner to pay money owed by him or to make satisfaction of some wrong done by him' (s.v. *distress* n., sense 3). In this respect, one may have expected to find a phrase like 'distrain of goods to recover stolen property' instead. The current wording in *TOE* suggests that 'attaching' and 'distrain' should be understood as synonyms. If 'distrain' were to be interpreted in the sense provided by *OED*, $n[\bar{a}/\bar{æ}]m$ should rather be included in 14.03.03.07 'security, pledge, bail', the section which comprises, among others, OE *bād* 'pledge', *wedd* 'pledge, security' and *borg* 'pledge, security' and their word-fields.

27. (1) 'Enskildt uttagande af pant, som en fordringsegare gör hos gäldenären till godtgörande af, l. till sakerhet för sin fordran'; (2) 'det på detta sätt tagna godet'. E.g. VgL IRI. 7.1, VmL Ku. 7.6. Cp. ME *withernām* 'the distraining of a deforcer's personal goods in order to force restoration of that which he has illegally taken' (see *Middle English Dictionary*, hereafter *MED*, s.v. *withernām*). The glossary included in the last volume of *NGL* attributes to ON *nám* the more general senses 'erhvervelse, besiddelse' ('acquisition, possession'), according to which ON *landnám* refers to the illegitimate seizure of property and the fine to be paid in compensation (e.g. Gul. 81, 85, 91). This general meaning is present in ME *ofnām* 'a piece of land detached from common land' (< ON *afnám* 'taking away, removal') (see *MED*, s.v. *ofnām*).

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LawIICn 19–19.2 does not clarify which sense is the most appropriate, but the translation of LawIICn 19 provided by *Instituta Cnuti* suggests that *n[ā/ǣ]m* should be interpreted as having a sense similar to ON *nám*: ‘let no one take, in return for some crime, that which the Anglo-Saxons call *nam* either inside the shire or outside the shire’.²⁸ The context of LawIICn 19 may also point in this direction because this decree is the first in a series of ordinances dealing with guarantees. This general concept is expressed through the reference to sureties (*borg*), oaths (*āð*), oaths of exculpation (*lād*), witnesses (*gewitnes*), the vouching to warranty (*tēam*), etc. Accordingly, the term in LawIICn 19 is interpreted here as part of the Norse-derived vocabulary in the Wulfstanian corpus because it may represent a loanword (if the Wulfstanian term was *nām*) or a semantic loan (if the Wulfstanian term was *nāem*; cp. Hofmann 1955:§311). However, one should remember that this incorporation is not totally free from problems.

C. Lack of breaking of PGmc */a/: e.g. WS *slēan* to strike, beat’ vs ON *slá* id. (< PGmc */slaxanan)²⁹

Steenstrup (1882:342), Björkman (1900–02:102), de Vries (1961:s.v. *rán*), Peters (1981b:90), Kisbye (1982:55) and Wollmann (1996:234), among others, identify the term *rān*, as recorded in two texts from the time of William the Conqueror (LawWlArt X.6 and LawWlLond 12), with ON *rán* (< PGmc */raxnan, according to de Vries 1961:s.v. *rán*; see below on the meaning of the term). Lack of breaking, however, can only suggest that the Norse origin of a word is possible because there are several sound changes in Old English which produce forms where breaking is not apparent (cp. Björkman 1900–02:101):

28. ‘Nullus accipiat pro aliqua forisfactura quicquam quod Angli vocant name nec infra comitatum nec extra’ (Liebermann 1903–16:I, 321 and 323).

29. On breaking in Old English, see Campbell (1959:§§139–56) and Hogg (1992b:§§5.16–34). For similar cases where lack of breaking may suggest Old Norse origin, see Björkman (1900–02:101–09). On vocalic lengthening after loss of /x/ in Old Norse, see Brøndum-Nielsen (1950:§111.3).

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- (1) the effects of retraction to /a/ before breaking (e.g. Angl. *slā(n)* vs WS *slēan*);³⁰
 - (2) Anglian smoothing (e.g. Angl. *nēh* ‘near’ vs WS *nēah* id.);³¹
 - (3) ‘the occurrence of combinative breaking outside its normal limits’ (Hogg 1992b:§5.20, note 3) (e.g. *maht* in PsGlA [Kuhn] 61.12 and *almahtig* in OccGl 54 [Zupitza] 12.60 and 13.115 vs WS *meaht*, *miht* ‘might, strength’ and *ælmeahtig*, *æلميhtig* ‘almighty’);³²
 - (4) palatal monophthongization (e.g. eWS *eahta* ‘eight’ vs IWS *ehta* id.).³³
- Indeed, the native origin of the noun may be suggested by the existence of OHG *birahanen* ‘to carry off, capture’ (see Splett 1993:s.v. *rahanen*), cognate with ON *ræna* ‘to rob’ (< PGmc **raxnjanan*).³⁴ Thus, if one were to argue in favour of attributing to this term a foreign origin, phonological evidence would have to be supplemented by the late attestation of the form and the possible direct semantic correspondence between OE *rān*, as explained by the laws of William the Conqueror (‘ran, quod Angli dicunt apertam rapinam, quę negari non potest’, LawWlArt 6), and ON *rán* ‘robbery’.³⁵ The latter is generally distinguished from ON *stuldr* and *þýfð*

30. On this sound change, see Hogg (1992b:§5.38).

31. On Anglian smoothing, see Campbell (1959:§§222–33) and Hogg (1992b:§§5.93–102).

32. On the ‘normal limits’ of combinative breaking, see Hogg (1992b:§§5.28–34, especially §5.29).

33. On palatal monophthongization, see Campbell (1959:§§312–14) and Hogg (1992b:§§5.119–23).

34. See, however, Dance (2003:87) for a caveat against using the existence of West Germanic cognates as evidence in favour of the native derivation of an Old English term.

35. Cleasby & Vigfusson (1957:s.v. *rán*) record that the word has a more general sense in the singular than in the plural: singular ‘any unlawful seizure or holding of property’ and plural ‘robbery, plundering’ (cp. ON *gríð*, see below, 4.1.1; and *lag* ~ *lǫg*, where the singular has a wide range of meanings associated with ‘laying’, whereas the plural has the more restricted meaning ‘law’). Steenstrup (1882:342) sees the general meaning of the term in the noun <Ryðrenan>, recorded in ChronD (Cubbin) 1065.27; he associates this term with ON *rauða rán*, which referred to

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‘theft’ as something done openly and secretly, respectively.³⁶ Direct semantic correspondence, however, depends on attributing to ‘apertam’ the same meaning as MnE *open*, i.e. on considering that the crime was committed publicly. One could associate the Latin clarification with OE *open* *ðȳfð* (LawIICn 26.1, 64) instead because Schwyter (1996:126–27) explains that OE *open* in this collocation should be understood as ‘manifest’ or ‘evident’, i.e. as referring to a crime which, as in the Latin explanation, cannot be denied. Even so, evidence in favour of interpreting ‘apertam’ as MnE *open* comes from the same decree in the Conqueror’s laws because it differentiates ‘ran’ from *furtum*, which, according to Schwyter (1996:158), is the Latin term that corresponds to OE *ðȳfð*. The latter, like the Norse cognate, has clear associations with secrecy (see Schwyter 1996:119 and 127). Thus, the date and the semantics of the term under analysis argue in favour of attributing it a Norse-derived character. Its form requires further comment.

The form recorded in Wulfstan’s canon is not **(cyrlic)rān*,³⁷ or **(cyrlic)rāen*, which would agree with other cases in which ON /a:/ is adopted in OE as /æ:/ (e.g. ON *formáli* ‘preamble’ > OE *formāl* ‘negotiation, agreement, treaty’ vs ON *sammála* ‘agreeing’ > OE *sammāle* ‘agreed,

some sort of robbery in which blood was involved. It is, however, more likely to be a mistake for *ða norðernan* ‘the northerners’ (cp. ‘þa norðerne men’ in ChronE [Irvine] 1065.15; cp. Whitelock et al. 1965:138, Swanton 2000:193 and Irvine 2004:lxixiv). The general sense may also be associated with LawIICn 61.1. It reads ‘gif he samwyrce bete be ðam ðe seo dæd sy’ (‘if he commits a minor deed of violence, he shall make amends according to the deed’), but Lambarde’s *Αρχαιονομία* has ‘gif he ran wyrce’ (‘commits a *ran*’) instead (see Liebermann 1903–16:I, 350, note to this decree).

36. On this distinction, see Larson (1935:427), as well as the entries for these terms in the glossaries included in the last volumes of *SGL* and *NGL*. It is apparent not only in the common contrast between ON *(þýf)stolit* and ON *rántakit* (e.g. SkL 142, 157 and 197; and VgL II p 52), but also in the different penalties imposed by HgL M 18 and 28 according to whether a man ‘rænir’ or ‘stiael’ a certain amount of money, the fines for the latter crime being higher.

37. Cp. ODan. ‘kirkiu ran’ (e.g. SkL 3, 5, 7, 8).

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accordant, united'; see below, 8.1.3), but <cyricren> (LawVIATR 28.3).³⁸ <e> could be attributed to scribal error, but this possibility becomes difficult to maintain when one considers that *VI Æthelred* is only preserved in London, British Library Cotton MS. Claudius A.iii (hereafter Claudius A.iii), and that Ker (1971:321 and 1990:no. 141) notes that the hand which he identifies as Wulfstan's has made some corrections on fos. 35^v–38^v, which contain this text (see below, 7.1.3.2). Therefore, one would expect Wulfstan to have identified and corrected the error, just as he did in Harley 55, fos. 1–4 (see Ker 1971:327 and 1990:no. 225). The possibility, however, cannot be fully discarded.

Instead, one could hypothesize that *cyricrēn* should be associated with ON *ræna* (cp. Holthausen 1934:s.v. *rēn*, sense 3) or with ON *ræningi* 'robber' or 'the victim of a robbery', rather than with the noun *rán* itself. This would explain the presence of the front vowel because the change ON /æ:/ > OE /e:/ is found, for instance, in ON *skærr* 'pure, bright' > OE *scēr* 'unchallenged, undisputed' > ME *skēre* (see Björkman 1900–02:125; and Luick 1964:§383). The possibility of direct influence of the verb on *cyricrēn* would associate it, from a morphological point of view, with MnE *nosebleed* or *sunshine* (see Bauer 1983:205). However, nominal compounds formed by noun + verb are not common in Old English, even though this structure underlies a few verbal compounds, e.g. *morgenwacian* 'to rise early' (see Lass 1994:198). Accordingly, the interpretation of *-rēn* as a back formation from ON *ræningi* might be more appropriate. OE *-ing* could indicate (among other meanings) 'associated with' (e.g. *hōring* 'adulterer' is a derivative of OE *hōre* 'adulteress', on which see below). Thus, ON *ræningi* could have been interpreted as 'someone associated with a **ræn*'.

D. PGmc *[ð] > OE /d/ vs ON /ð/: e.g. OE *word* 'word' vs ON *orð* id. (< PGmc **wurðan*)

Björkman (1900–02:163) includes OE *grið* 'truce, peace' (cp. ON *grið* id.) amongst the terms whose Norse derivation is suggested by the presence of a dental fricative deriving from PGmc */ð/, the normal reflex of the latter in

38. Hofmann (1955:§272) notices the oddity of the form without offering any further explanation.

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Old English being /d/.³⁹ However, Björkman's view is problematic because the etymology of the suggested Norse etymon is not clear (cp. Dance 2003:80, note 31). Von See (1964:167) records the most likely explanations put forward before his book was published:

(1) the term shares the same root as OIc. *greiða* 'to furnish, arrange' (cp. OE *gerædan* id. < PGmc **garaiðjanan* < PIE **-rēid^h-*);⁴⁰

(2) it shares the same root as Go. **griþs* 'step' (acc. sing. *grid*), which is itself also of uncertain etymology (possibly < PIE **g^hreid^h-*);⁴¹

(3) it should be associated with Gr. *χαρίς, -ιτος* 'outward grace, favour' (< PIE **ǵ^h[e]rēi-to-* or **ǵ^h[e]ri-to-*);⁴²

(4) it is related to Skr. *grhá-* 'house' (< Skr. *grdhá-*), according to which it could be compared with Go. *gairda* 'girdle' (probably < PIE **g^herd^h-*), or with Go. *gards* 'house, family, court' (cp. OIc. *garðr* / OE *geard* 'yard' < PGmc **garðaz*), which may derive from PIE **g^horto-* or **g^hord^ho-*, based on PIE **ǵ^her-* and **g^herd^h-*, respectively.⁴³

To these suggestions one should add Mann's (1984–87:s.v. *ghrīdh-*) recent derivation of ON *gríð* and *gríði* 'servant' from PIE **g^hrīd^h-*; he would also like to associate OCS *gridī* 'retainer, retinue', possibly a Germanic loanword, and *griditi* 'to be billeted' with this root. The presence of the dental fricative in OE *gríð* instead of /d/ can only be accepted as evidence of Norse derivation if the Proto-Germanic root had **[ð]* either as the reflex of PIE **/d^h/* or as the result of PGmc **/θ/* (< PIE **/t/*) having been affected by Verner's Law. Even though most of the aforementioned roots fit this requirement (including the suggestion which may be the likeliest explanation for the term, i.e. suggestion no. 4), not all of them do, a problem

39. On the reflex of PGmc **/ð/* in Old English, Campbell (1959:§409) and Hogg (1992b:§4.17).

40. See Pokorny (1959–69:s.v. *1. ar*) and Lehmann (1986:s.v. *garedan*). Gothic terms are assigned the meanings provided by Lehmann (1986).

41. See Lehmann (1986:s.v. *griþs*).

42. The root is, however, commonly associated instead with ON *gríð* 'frantic eagerness'; see Pokorny (1959–69:s.v. *ǵher-*) and Orel (2003:s.vv. **zreðuz* and **zrīðō*).

43. See Pokorny (1959–69:s.v. *ǵherdh-*), Lehmann (1986:s.vv. *gairda* and *gards*) and Orel (2003:s.v. **zarðaz*).

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which is exacerbated by the general uncertainty surrounding this term.

One may want to supplement phonological evidence with the date and distribution of the initial attestations of the term. Wormald (1999d:310–11 and 377) has noted that LawIIEm 7–7.3, where *grið* is recorded, is unlikely to be part of Edmund's (d. 946) second code because there is a clear break between these decrees and the previous text. Accordingly, the term may be first recorded either in *The Battle of Maldon*, which has been associated, amongst other places, with Essex and Ely, or in *III Æthelred*, a code connected with the Danelaw Five Boroughs (see Wormald 1999d:322–29). This *could* point towards an initial association of the term with the Scandinavian settlers. However, given the uncertainty surrounding the date of the final part of *II Edmund*, as well as the date and dialectal origin of *The Battle of Maldon* (see below, note 32 in Chapter 7), any suggestion in favour of the initial use of OE *grið* in Scandinavianized areas has to remain purely speculative. Thus, the apparent lack of cognates in other West Germanic languages and the late attestation of the term provide the strongest evidence in favour of its Norse origin.

As the previous lines show there are no definite phonological reasons to attribute a Norse origin to any of the 'core' (i.e. legal) words of this study (see further below, 2.3.4.3–4). As Dance points out, 'every acceptance represents our acknowledgement of what is *likeliest*, not of what is certain' (2003:75).

2.3.4.2 MORPHOLOGICAL EVIDENCE

Morphological evidence argues in favour of the Norse-derivation of one of the terms recorded in the Wulfstanian corpus. The etymology of ON *þræll* 'slave' is unclear. Two Proto-Germanic forms, viz. **þraxilaz* and **þranxilaz*, have been suggested as the likeliest etyma (see de Vries 1961:s.v. *þræll*). From a phonological point of view, one might want to interpret OE *ðræl* 'slave' as an Anglian derivative of the former where the diphthong arising from breaking has not been umlauted, and has later undergone smoothing (cp. Angl. *hlæhan* 'to laugh' vs WS *hlyhhan* id.; see Hogg 1992b:§5.82). Thus, one could hypothesize the following evolution:

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**þraxil-* > **ðræxil-* > **ðræuxil-* > **ðræaxil-* > **ðræxil-* > **ðræil-* > *ðræil*.⁴⁴ OE *ðræil* could not be a native derivation from PGmc **þranxilaz* because one would expect to find the reflex (*i*-umlauted or *non*-umlauted) of /o:/ (< PGmc **/anx/*; see Hogg 1992b:§3.13).

In this case the morphology of the word presents the strongest evidence in favour of its Norse-derived nature. As Björkman (1900–02:19, 167) explains, the attestation of forms with <ll> hints at the fact that this is an Old Norse loanword because the second /l/ is likely to be a relic of the nominative singular ending *-R* (<PGmc **-z*), which has undergone a process of assimilation in Old Norse.⁴⁵ The forms with only one liquid, like those recorded in Wulfstan's texts, lack any sign of the ending, which suggests that they derive from the other cases or that the final consonant has been simplified (see Hogg 1992b:§7.81).

A combination of phonological and morphological factors presents sufficient evidence to doubt the oft-suggested Norse origin of Wulfstan's *fēs(i)an* / *fȳs(i)an* 'to drive away' (see Pons-Sanz 2006b). This verb is therefore excluded from the present study.

2.3.4.3 CULTURAL EVIDENCE

In some other cases there are cultural reasons to believe in the Norse origin of a term. It is when dealing with what French philologists, following Deroy (1980:224–29), call *xénismes*, i.e. terms which are introduced following a new concept or object which did not exist in the cultural world of the speakers of the recipient language, that evidence to assign a word to the language associated with the new cultural concept is strongest. Björkman (1900–02:250) would want to assign OE *marc* to this group because, he argues, it refers to a coin introduced by the Scandinavians. This should be enough evidence to make its identification as a loanword from ON *mqrk* preferable to any other etymological explanation which may involve the wide attestation of cognates in West Germanic languages, as well as in Medieval Latin: e.g. OFris. *merk*, MHG and MLG *mark*, ML *marca*,

44. On the possibility of /x/ causing smoothing even when followed by /i/, see Hogg (1992b:§5.93).

45. On this assimilatory process in Old Norse, see Noreen (1923:§277).

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marcus. *Marc*, however, did not refer to any coin in Anglo-Saxon England but, as in the case of the aforementioned terms, to a denomination of weight and money of account (cp. ON *mqrk* ‘a mark, by weight or value, equal to eight ounces or oras’), and this undermines the significance of any cultural reason because this denomination of weight was common throughout western Europe.⁴⁶ Since lack of breaking can only hint at, but not determine, the foreign origin of the term (see above, section C in 2.3.4.1), only the somewhat ‘weaker’ cultural evidence based on textual attestation is left to identify the word as an Old Norse loanword. Steenstrup summarizes the reasons based on textual evidence as follows:

Since this money of account occurs for the first time in the agreement between Alfred and Guthrum c. 2 (8 *healfmearc ásodenes godes*), since it is afterwards mainly used in the Danish district, and since the mark appears divided into oras, it can hardly be denied that we are here faced with a Danish loanword.⁴⁷

These reasons are generally accepted to be persuasive enough, and the word is assigned a Norse origin by, among others, Serjeantson (1935:67), Hofmann (1955:§§202, 341), de Vries (1961:s.v. *mqrk*), Peters (1981a:180 and 1981b:95), Kisbye (1982:66), Kastovsky (1992:334) and Wollmann (1996:235). Thus, this word is also included among the Norse-derived vocabulary of this study.

46. On the use of *mqrk* in Old Norse, see Engeler (1991:115–27). On its use in Anglo-Saxon England, see Nightingale (1983 and 1984) and *OED* (s.v. *mark*, n.2). On its use in the two environments, see Kisbye (1982:66–70). On the possibility that it was introduced on the continent from Scandinavia via England, see Nightingale (1985) and Engeler (1991:115–16).

47. ‘Da nu denne Møntberegning første Gang fremkomer i Alfred og Guthrums Forlig c. 2 (8 *healfmearc ásodenes godes*), da den derefter især benyttes i de danske Egne, og da Marken viser sig delt i Øre, kan det næppe bestrides, at vi her staa overfor et dansk Laan’ (1882:172). Curiously, LawAGu 2 is the only record of the term which presents breaking. Assuming that OE *marc* is indeed an Old Norse loanword, this form may manifest a process of phonemic substitution similar to those discussed by Townend (2002:Chapters 3 and 4). However, the possibility that it simply follows Anglo-Saxon orthographic tradition (cp. OE *mearc* ‘mark, boundary’) cannot be discarded.

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Cultural evidence of the same ‘weak’ type as that presented for OE *marc* is similarly adduced in favour of identifying (1) OE *lagu* as a loanword from ON *lög*, (2) OE *hold* meaning ‘ranking below that of a *jarl*’ as a loanword from ON *hǫldr* / OWN *hauldr*, and (3) the sense ‘leader, official’ of OE *eorl*, which turned it into a synonym of OE *ealdormann*, as a semantic loan from ON *jarl*. OE *lagu* in its earliest records (none older than the tenth century) is solely associated with the Scandinavian newcomers and their legal practices.⁴⁸ This is generally accepted to be sufficient evidence in favour of identifying it as an Old Norse loanword, and the word is not missing from any survey of Norse-derived vocabulary in late Anglo-Saxon England. This book follows the consensual opinion, although one should never forget that evidence does not allow for anything other than the inclusion of this word in the same group as those which ‘may be looked upon as *possibly* borrowed from Scandinavian’ (my emphasis), as pointed out by Björkman (1900–02:226, cp. 249). Similarly, the new sense of OE *eorl* is first attested in connection with Scandinavian leaders (see Hofmann 1955:§221), and *hold* is always recorded in the context of the Danelaw (see Hofmann 1955:§222 and Peters 1981a:175–76). If one accepts the Norse origin of *lagu*, then the consistent handling of data determines that the new meaning of *eorl* should be analysed in the same way, the evidence not being any more or less compelling.⁴⁹

It is not clear whether the factors in favour of analysing the derivative OE *friðlēas* when meaning ‘outlawed’ as a loan-translation of ON *friðlauss* should be included in this section. The use of OE *frið* to indicate the individual’s right to peace and protection which one enjoys in the legal society in which (s)he is immersed (a right which is lost when the individual is expelled from that society, but which can be bought back) appears to have been taken over from Scandinavian practices (see below, 4.1.1.1), while the Scandinavian influence on the concept of ‘outlawry’ itself remains more uncertain. The change in the character of outlawry in Anglo-Saxon England from a less important legal process reserved for exceptional offences and only applicable to one’s shire, to a fundamental coercive element in the

48. On the first records of the *lagu* word-field, see below, 3.1, 8.1.1 and 8.2.1.1.

49. See Syrett (2002:47–48) for some of the caveats which one should bear in mind when assigning Norse origin to the new meaning of OE *eorl*.

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hands of the king applicable to the whole country has sometimes been associated with the arrival of the Scandinavian newcomers (see Steenstrup 1882:252; Pollock 1893:254; Liebermann 1910; and de Lange 1935: 124–25). However, this remains a difficult issue, and it may simply be the case that this process was associated with the general increase in Anglo-Saxon royal power, as implicitly suggested by Jolliffe (1947:107–08) and Lundgren (1996:Chapter 1).

2.3.4.4 *NEGATIVE EVIDENCE*

As far as most of the terms of this study are concerned, linguists can only rely on the restriction of a word (or one of its meanings) to late Old English texts, its attestation (preferably as part of a word-field with numerous members) in early Scandinavian texts, and, in some cases, the lack of native cognates in other West Germanic languages when suggesting a Norse origin for a term. As pointed out above (section D in 2.3.4.1), this is the situation which best describes OE *grið*, one of the most important terms in this study. Even so, no contemporary survey excludes it from the Norse-derived vocabulary in late Anglo-Saxon England, and it is not discarded here either.

One faces the same lack of positive evidence when dealing with other terms for which Norse derivation has been claimed: OE *afol*, *bōnda*, *cost*, *bōtlēas*, *drincelēan*, *hāmsōcn*, *hōrcwene*, *hōring*, *gegenge*, *nȳdgylld*, *nȳdmæg*, *sehtan*, *uncwydd*, *unbecrafod*, *unsac*, *ðegngylld*, *wīcing*, *wælcyrrie* and the phrase *of life forrædan*. Taking into account, among other aspects, the principles already explained for the differentiation between loanblends and new-formations in the Wulfstanian corpus (see above, 2.3.3), and the textual history of these terms and others closely related to them, one can deny even the more general character of Norse-derived vocabulary to OE *afol* ‘power, might’, *bōtlēas* ‘unpardonable, not to be atoned for by *bōt*’, *hōrcwene* ‘adulteress’, *hōring* ‘adulterer’, *gegenge* ‘company’, *nȳdgylld* ‘extraction, tribute’, *nȳdmæg* ‘blood-relation’, *sehtan* ‘to reconcile’, *ðegngylld* ‘legal money value of a thegn’, *wælcyrrie* ‘witch, sorceress’, *wīcing* ‘pirate, viking’ and the phrase *of life forrædan* ‘to plot against one’s life’.⁵⁰

50. On *afol*, see Pons-Sanz (2005c). On *bōtlēas*, see Åqvist (1968:238–40) and Pons-Sanz (2004b:221); on the way in which the Anglo-Saxon *bōt*-system worked, see

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The *possible* Norse origin of the rest is discussed below.

Most scholars agree that OE *bōnda* is a loanword from ON *bóndi* ‘husbandman’ (< ON *búandi* id.).⁵¹ The adjective *cost* ‘tried, chosen, excellent’ is a native term etymologically related to OE *cēosan* ‘to choose’, while the noun *cost* is generally analysed as an Old Norse loanword (< ON *kostr* ‘choice, condition’).⁵²

OE *drincelēan* is commonly interpreted as a loan-translation from ON *drekkulaun*, but this interpretation partially relies on the meaning which is assigned to the Old English term. Larson (1935:418) explains that *drekkulaun* in Old Norse laws refers to the ‘reward for drink’, i.e. a gift presented by the king to one who has entertained him (e.g. Gul. 270). Steenstrup (1882:186–87) argues in favour of assigning *drincelēan* the same meaning. Peters (1981b:91), Kastovsky (1992:334) and Townend (2002:203) translate it with a more general sense: ‘entertainment given by a lord to his tenants’. Bosworth & Toller (1898–1972:s.v. *drynce-leán*), Clark Hall (1960:s.v. *dryncelēan*) and Robertson (1925:359, note to LawIICn 81) prefer to associate this word with the gift of drink-money which may have marked the successful conclusion of a bargain.⁵³ Similarly, *TOE* includes this compound under 15.05 (‘trade, traffic, commerce’), and translates it as ‘drink confirming sale’. Liebermann (1903–16:I, 366), Hofmann (1955:§314) and Whitelock (1979:467, note 2) provide both

Rubin (1996). On *hōrcwene* and *hōring*, see Pons-Sanz (forthcoming 1). On *gegenge*, see Dance (2003:422–23) and Pons-Sanz (2004b:239–40). On *nydgylt* and *ðegngylt*, see Hofmann (1955:§283), Peters (1981b:114) and Pons-Sanz (2004b:222). On *nydmæg*, see Pons-Sanz (2005b). On *sehtan*, see below, note on the *seht* word-field in Table 14 (cf. Pons-Sanz 2004b:48–49). On *wælcýrie*, see Hofmann (1955:§279) and Peters (1981b:122). On *wicing*, see Hofmann (1955:§279) and Peters (1981b:123). On *of life forrædan*, see Pons-Sanz (2005a).

51. On the development ON *búandi* / **bóund-* (cp. ON *búa* ‘to dwell’) > *bóndi*, see Noreen (1923:§§130 and 166, Anm. 2).

52. On these terms, see, for instance, Steenstrup (1882:97 and 305), Björkman (1900–02:205, 247), Serjeantson (1935:64), Hofmann (1955:§§245, 271), de Vries (1961:s.vv. *bóndi*, *kostr*), Peters (1981a:175–77 and 1981b:89, 93), Kisbye (1982:59), Kastovsky (1992:334) and Wollmann (1996:223).

53. See also *MED* (s.v. *beverage*, sense b) and Vinogradoff (1906–07:538).

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Steenstrup's and the commercial translation without favouring either.

The term is only recorded in the Wulfstanian canon in LawIICn 81: 'And drincelean 7 hlafordes rihtgyfu stande æfre unawend'.⁵⁴ The context of this decree could be used as evidence that the term should be assigned the same meaning as its Old Norse equivalent. LawIICn 79 refers to the fact that he who has complied with his obligations shall keep his land unchallenged by litigation. Before dying, he shall be able to give it to whomever he wants. LawIICn 80 refers to the freedom which people have to hunt in their own lands, but not in those under the control of the king. It would not be surprising then that LawIICn 81 refers to the rights over a piece of land which someone acquired through *rihtgyfu* 'legal gift' or through *drincelēan*. This *rihtgyfu* could be associated with the *eorlgyfu* 'earl's gift' and the *cyninges gyfu* 'king's gift' through which a *ceorl* 'freeman of the lowest class' becomes a *ðegn* (on his status, see below, 6.1.2.1) and a *ðegn* becomes an *eorl*, according to WPol 6.2 (Jost) 135, because, as LawGēpyncðo 2 explains, one of the conditions which a *ceorl* needs to deserve the privileges of a thegn is to possess five hides of land. Likewise, this decree could be connected with the grants of land and gifts given by monarchs to religious foundations and laymen. Many of the gifts offered to churches and monasteries were given during the king's visit (Lawson 1993:121 and 159 mentions, for instance, Æthelstan's visit to St Cuthbert and Cnut's visit to Sherborne), and this would be an appropriate context for the use of *drincelēan*. In S 967 and S 973 Cnut granted Abingdon land at Myton (Warwickshire), but the existence of the second charter is interpreted by Lawson (1993:152) as evidence that the possession of the estate was not *unawend* 'inviolated'.

Nonetheless, if LawIICn 81 is interpreted together with LawIIIAtr 3, the source of the Cnutian decree (see below, 5.1), the commercial association of the term turns out to be very appropriate because of the various references to purchases in the Æthelredian code. If this is the meaning of the compound, its semantic difference from the Old Norse term (despite the caveats mentioned above, 2.3.2) and the numerous members of the *lēan* 'reward, gift' word-field in Old English could be used as evidence in favour of the native development of the term. Since the meaning attributed to the

54. 'And [*drincelēan*] and a lord's legal gift shall always remain inviolated'.

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Old Norse equivalent of the compound fits the Cnutian context well, and this compound is generally included in surveys of Norse-derived vocabulary in Old English, it has been included in this study. Uncertainty over its etymology, however, has to remain.

Scholarly tradition and the lack of any strong evidence to oppose it are also the reasons to accept that *hāmsōcn* ‘offence of attacking a man in his own house’ may be a loan-translation based on ON *heimsókn* ‘attack on one’s home’.⁵⁵ One needs to bear in mind, however, that the crime referred to is commonly dealt with not only in Scandinavian sources, but also in continental texts (see Colman 1981 and 1985; cp. OFris. *hāmsēke[ne]*, *hāmsēkinge* and MHG *heim[e]suochunge*). When this is associated with the fact that OE *gesēcan* does not only mean ‘to seek out, visit’, but also ‘to seek with hostile intent, try to get at, attack’ (cp. Go. *sōkjan* ‘to seek; argue with’; cp. Bibire 2001:90), the possibility that the compound may have arisen within Old English cannot be discarded (cp. *MED*, s.v. *hām-sōkne*; and *OED*, s.v. *hamesucken*, *-soken*). Alternatively, despite the closer formal similarity with the Norse term, OE *hāmsōcn* may have developed as a result of continental influence.⁵⁶

The complexes *uncwydd* ‘uncontested’, *unbecrafod* ‘not subject to claims’ and *unsac* ‘innocent’ are included in Wulfstan’s Norse-derived vocabulary for the same reasons as OE *hāmsōcn*.⁵⁷ Old English texts record the verb *cwyddian* ‘to talk, say, discuss’, but the meaning ‘to make a claim

55. See, for instance, cp. Steenstrup (1882:350), Björkman (1900–02:12), Hofmann (1955:§207), de Vries (1961:s.v. *heimsókn*), Peters (1981b:92) and Townend (2002:203).

56. Cp. L *haraidum*, which refers to a band of men perpetrating *hāmsōcn* in LawHn 80.11. It has been associated with <hariraida> in *Lex Ribuaria* 64 and <heriraita> in *Lex Baiuuariorum* IV.23 (see Downer 1972:400, note to LawHn 80.11; and Colman 1985:52). Latham et al. (1975–:s.v. *haraidum*) explain it instead as a result of the influence of OE *here* ‘troop, army’ on AN *arraie* / *arai* ‘company, group of men’ (see Rothwell et al. 1992:s.v. *arraie*, *ar[r]ai*).

57. On the first two terms, see, for instance, Steenstrup (1882:184), Björkman (1900–02:248), Robertson (1925:321, note to LawIIIAttr 14), Hofmann (1955:§§261–62, 312), Peters (1981b:92), Kisbye (1982:60–61) and Kastovsky (1992:334). Neff (1989) does not mention these terms among the Old Norse loans in *III Æthelred*.

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against' is generally considered to derive from its Norse cognate *kveðja*. OE *crafian* is only recorded in late Old English texts, where it has the meanings 'to crave, ask, implore, demand' and 'to summon'. There is general consensus that the latter meaning at least has been borrowed from ON *krefja*, but the origin of the verb itself is still a matter of dispute. Though Björkman (1900–02:248), Steenstrup (1882:184) and Hofmann (1955:§§261–62) suggest that it may represent a loanword rather than a semantic loan, the first two scholars express their concern about the presence of <a> instead of the expected <e> or <æ>.⁵⁸ Given this phonetic difficulty and the lack of strong evidence in favour of the Norse origin of the term itself, this study follows the majority view, and only accepts the Norse origin of the meaning 'to summon'.

Unsac is commonly classified as a loanword or a loanblend (cp. ON *úsekr* 'innocent').⁵⁹ However, given the principles explained above, 2.3.3, for the distinction between loanblends and new-formations in the Wulfstanian canon, and the fact that this adjective belongs to the common *un*-type of derivatives, it may also be possible to identify it as a new-formation based on OE *sac* (< ON *sekr* 'sentenced, convicted, guilty') as far as Wulfstan's vocabulary is concerned (see below, 5.3.4). The existence of the native terms *sacu* 'conflict; lawsuit', *sacful* 'quarrelsome' and *unbesacen* 'undisputed' may have contributed to accelerate the familiarization of the Anglo-Saxons with the borrowed adjective *sac* 'guilty' and the other Norse-derived terms associated with it. The Anglo-Saxons may have associated the borrowed terms with the *sacu* word-field, an association suggested by the presence of <a> instead of the expected <e> in the simplex and the

58. See Noreen (1923:§63.1) on the reflexes of *i*-umlauted PGmc */a/ in Old Norse (cp. PGmc **kraþjanan*).

59. On this term, see Hofmann (1955:§273), Peters (1981b:91) and Kastovsky, who includes it in a list of 'compounds (partly native, partly loan-translations)' (1992:333–34). On the Norse origin of the simplex *sac* 'guilty' and *saclēas* 'innocent' (generally understood to be a loanblend modelled on ON *saklauss* 'innocent'), see Björkman (1900–02:12), Hofmann (1955:§260), Peters (1981b:90), Kisbye (1982:60), Neff (1989:293), Kastovsky (1992:333), Wollmann (1996:234) and Townend (2002:203).

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derivative *unsac* (cp. Hofmann 1955:§260).⁶⁰

2.3.4.5 CONCLUDING REMARKS

As the previous sections show, the identification of many terms as part of Wulfstan's Norse-derived vocabulary is based on evidence the nature of which does not allow for a definite conclusion, but only for the traditional suggestion of a Norse origin as the likeliest possibility. The assumption could be readily overturned if new material were found. The list of terms discarded from this study presented above, 2.3.4.4, bears witness to the fact that it is in many cases up to the researcher to judge the significance which should be placed on extant evidence.

In most cases the decisions made here after the careful evaluation of the available data agree with general scholarship. In this respect, this study is an attempt to clarify what Wulfstan's use of the terms *generally* accepted to be Norse-derived can suggest about his language and that of his contemporaries.

2.4 CONCLUSION

This chapter perhaps presents an excessively sceptical view about the Norse origin of the terms discussed in this book. However, the adoption of such an attitude reflects an attempt to highlight the notions of *probability* and *possibility* regarding their foreign origin, these ideas being far from obvious in those works which simply present a list of terms without further discussing the actual evidence for each attribution (e.g. Serjeantson 1935; Peters 1981b; and Kastovsky 1992). Given that the problems involved in the identification of the Norse origin of the terms analysed in this book have already been discussed, they are not emphasized in the following chapters, but the reader is requested to bear them in mind.

60. The forms with <a> in the Old Swedish law-codes may be a later formation by analogy with ON *sak*- (see Noreen 1923:§424.1 Anm. 2).

CHAPTER 3

WULFSTAN'S NORSE-DERIVED LEGAL VOCABULARY I: THE *LAGU* WORD-FIELD

3.1 THE SEMANTIC RANGE OF THE MEMBERS OF THE *LAGU* WORD-FIELD

Fischer (1989:105–08) has recently traced the semantic evolution shown by *lagu* in Old English. Whereas the three examples of *lagu* in *IV Edgar* (LawIVEg 2a.1, 12 and 13.1) refer exclusively to the laws of the Danes, in the early Æthelredian codes it already refers to any secular law, regardless of its jurisdiction (e.g. LawIAtr 0.2 and LawIIIAtr 0.1). Outside the legal works, there are some texts (viz. the anonymous parts of the Heptateuch, the West Saxon Gospels as recorded in Cambridge, Corpus Christi College MS. 140, the *Rule of Chrodegang* and Byrhtferth's *Manual*) where *ǣ(w)* alternates with *lagu*. Fischer clarifies that, in these texts,

the common features are that *lagu* is used less frequently than *ǣ*, that it is used tentatively or with special meanings, and that it is never used in a Christian sense (1989:108).

When compared with these texts, the Wulfstanian canon stands out because the archbishop's authentic homilies show not a single use of *ǣ(w)* to refer to the semantic field of 'law'. Accordingly, Fischer maintains that

Wulfstan is thus a pivotal figure for two reasons: he appears to be responsible for the widening of *lagu* from the secular to the religious sphere, and as a direct consequence he is the first writer to use *lagu* rather than *ǣ* in both senses. [...] We have thus ample reason to believe that Wulfstan played a central role in the naturalization of *lagu*. [...] This is not to say that Wulfstan alone was responsible for the spread of *lagu*, but his position and the time he lived in made him a central figure: [...] he witnessed and helped

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to shape the period when two traditions and cultures, the English and the Scandinavian, were fused into one. I believe that the spread of *lagu* and its rise from a specialized to a general term is a small but significant indicator of this fusion (1989:109–11).

Before explaining the various semantic spheres covered by *lagu* in the Wulfstanian corpus, the form which the simplex adopts according to its position in a complex, viz. *lah-* and *-lagu*, has to be clarified. The alternation of forms responds to the fact that, though a neuter *a*-stem plural in Old Norse (see Noreen 1923:§361), when the loanword was adopted in Old English, it was integrated as a feminine *ō*-stem.¹ Carr (1939:289) notes that in Old English that class of nouns appears without composition vowel when acting as the base of a derivative or the determinant in a compound. Thus, *lahlic* ‘lawful’ and *lahlice* ‘lawfully’ mirror, for instance, *luflic* ‘loving’ and *luflice* ‘kindly’ (cp. *lufu* ‘love’). The apparent devoicing of the velar is part of a wider tendency affecting other Old English voiced consonants in final position, be it word-final or final in a stressed syllable. In the case of the voiced velar stop /g/, the change is normally expressed by <h>, especially in late West Saxon (see Campbell 1959:§§446–47; and Hogg 1992b:§§7.60–61).²

3.1.1 THE ASSOCIATION OF THE *LAGU* WORD-FIELD WITH THE DANISH LEGAL WORLD IN ENGLAND

3.1.1.1 LAHSLIT

Unlike OE *āslitend* ‘law-breaker’, which renders L *praevaricans* (cp. L *praevaricor* ‘to make a sham accusation or defence’) in PsGII (Lindelöf)

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1. This transfer may respond to the fact that *-u* in VAN **lagu* coincides with the ending for the nominative singular of Old English short-syllable *ō*-stems or, as suggested by Welna (1980:407), to the fact that the synonymous native terms *ā(w)* and *āsetmes* are also feminine; the two possibilities are not mutually exclusive, though.
 2. Fulk, however, suggests that ‘spellings of this kind may be taken to imply nothing more than a tendency for <h> and <g> to be used interchangeably in nominal positions, due to the non-contrastive distribution of the sounds they represent everywhere except morpheme initially’ (2002:81).

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118.19 and 118.58, *lahslit* does not refer to the breach of the law *per se*, but to the fine to be paid when the law is broken. Thus, the decrees where the compound appears present it as the Anglo-Scandinavian equivalent to the English *wīte*: e.g. ‘Ordel 7 aðas syndan tocwedene freolsdagum 7 rihtfæstendagum; 7 se ðe þæt abrece, gylde **lahslit** mid Denum, **wīte** mid Englum’ (LawEGu 9).³

In some cases *wer* ‘a man’s legal value’ also takes part in the equation, but, when this happens, the distinction between the Danish law and the English law is not generally explicit: e.g. ‘7 gif hwa Cristendom wyrde oððe hæþendom weorþige wordes oððe weorces, gylde swa **wer** swa **wīte** swa **lahslite**, be þam þe seo dæde sy’ (LawEGu 2).⁴ This is the first passage in the *Peace of Edward and Guthrum* (and in the Wulfstanian corpus) where *lahslit* appears. Wulfstan seems to rely on the familiarity which his audience may have had with this term (see below, 3.3) and on the further clarification which is offered in the text. Instead of concentrating on the territorial contrast, he prefers to create a passage the style of which makes it difficult to forget. Structural parallelism is linked with different sound effects: alliteration and rhyme ally to place *wīte* in the transition between another word which can be used without any regional specification and the term to which it is normally opposed when regional idiosyncrasies are emphasized.

3.1.1.2 THE COLLOCATION *DENA LAGU*

As noted by Holman (2001:2), Wulfstan was the first author to use this collocation (e.g. LawEGu 7.2, LawVIATR 37, Nap 60 309.20 and LawIICn 15.1a). It alternates with the phrase *mid Denum* ‘among the Danes’, and appears in opposition to *Engla lagu* ‘law of the English’ and *mid Englum* ‘among the English’.

3. ‘Ordeals and oaths are forbidden on feast-days and legally ordained fast-days; and he who breaks that shall pay *lahslit* among the Danes, fine among the English’.

4. ‘And if anyone violates Christianity or honours heathenism by word or deed, he shall pay either wergild or fine or *lahslit*, according to the deed’.

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Logeman (1906:271–78) translates the head of the phrase as ‘district’, and hypothesizes that it may have been native or borrowed from Old Norse.⁵ In Logeman’s view, the fact that this term and the *lagu* which is the concern of the present study are homophones has led scholars to mistake this collocation as a reference to the ‘law of the Danes’ (e.g. Steenstrup 1882:30) instead of the ‘district of the Danes’. Among the reasons which Logeman (1906:275ff) offers to support his argument, two deserve special mention: (1) the wording in LawVIATR 37 (‘7 on Dena lage be þam þe heora lagu sy’; see below) would be very strange if both cases of *lagu* were interpreted as ‘law’;

(2) the preposition *on* with this collocation cannot, in his opinion, mean ‘in accordance with’ or ‘under’, whereas it is very common with a local meaning. He does not note that in *Mircna laga* the preposition *on* (LawMirce 1) alternates with *be* (LawMirce 2 and 3), and *be* is also used in LawNorðleod 6.

Even though the collocation carries some geographical reference to the main areas where the Scandinavian newcomers settled themselves,⁶ it is not necessary to analyse the collocation in Logeman’s terms.⁷ What is important is to understand that, as highlighted by Innes (2000:76), Wulfstan, like some of his contemporaries, saw these regional differences in *legal practice* (an appropriate translation for ‘lagu’ in LawVIATR 37) in ethnic terms;⁸ and that he, implicitly, expressed his admiration for Edgar’s decrees in this respect.⁹

5. On the territorial associations of ON *lög*, see Brink (2002:99–100).

6. The treaty between Alfred and Guthrum (LawAGu 1) establishes the border of the territories under the control of the Scandinavian newcomers as running ‘up the Thames, and then up the Lea, and along the Lea to its source, then in a straight line to Bedford, and then up the Ouse to Watling Street’ (Keynes & Lapidge 1993:171). On this border, see further Davis (1991), Dumville (1992) and Kershaw (2000).

7. See Abrams (2001:128–33) on the different approaches which have been taken to describe what *Danelaw* actually means.

8. LawVIATR 37 could then be translated as ‘And in those [districts] under Danish law, according to their legal practice’ (cp. Robertson 1925:103).

9. On the relationship between Edgar and the Danelaw, see Lund (1976), who argues that it may have been Edgar who created the Danelaw as an area explicitly exempt from royal jurisdiction and legislation because there is no evidence previous to *IV Edgar* of its existence.

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In fact, one could say that it was precisely in Edgar's decrees, such as

Gif hit þonne min geref a oððe ænig oðer man, riccre oððe unriccre,
onscunað 7 ungerysena gebyt aðer oððe tunesmannum oððe heora
hyrdon, ceose **Dene** be **lagum**, hwylce steore hy be þan healdan
willað (LawIVEg 13.1),¹⁰

where Wulfstan would have found the inspiration for the coinage of this collocation (cp. LawIAtr 0.2, which records the equivalent *Engla lagu* 'law of the English').

Dena lagu should therefore be interpreted as an example of Wulfstan's usage of an unfamiliar collocation or compound which draws on models provided by previous usage. This collocation does not appear in any pre-Conquest text outside Wulfstan's canon, but it is widely used later, possibly, as noted by Innes (2000:76–77), thanks to twelfth-century legal commentators interested in differences in regional custom (see below, 8.2.1.3). Once this collocation had been internalized, there was nothing to prevent the productivity of the pattern: *Suðengla lagu* 'law of the people of southern England' (LawGrið 9), *Norðengla lagu* 'law of the people of northern England' (LawGrið 13 and 13.2), *Mircna lagu* 'law of the Mercians' (LawMirce 0.1, 1, 2 and 3, and LawNorðleod 6),¹¹ *Norðhymbra lagu* 'law of the Northumbrians' (LawNorgrið 1) and, in post-Conquest codes, *Norðmandiscere lagu* 'law of the Normans' (LawWILad 1.1) or *Westsaxenelahe* 'law of the West Saxons' (LawLeisWl 2.2a).

10. 'If, then, my reeve or any other man, in high or low position, refuses it, and offers indignity either to the villagers or their herdsman, the Danes shall decide according to the laws what punishment they wish to apply on that issue'.

11. Not all the decrees in *Mircna laga* and *Norðleoda laga* which contain these phrases are Wulfstan's (see above, 1.1.1.2), but it is likely that he introduced them when reworking the tracts. LawNorðleod 1–6 is an old-fashioned document because, as noted by Wormald (1999d:393), there was no king in Northumbria after 952. If one were to interpret from this that it was originally composed before that date, 'Myrcna lage' in LawNorðleod 6 would be the first recorded use of *lagu* to refer to legal practices outside the Scandinavianized areas. This may not be surprising, considering the origin of the document. However, if *Mircna laga* can be attributed to a similar date, the presence of the collocation in this text would not be expected at all.

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3.1.2 THE *LAGU* WORD-FIELD IN THE GENERAL SECULAR SPHERE

The terms discussed in this section still show the initial association of *lagu* with the secular rather than the religious world, and only very clear stylistic needs make them cross realms.¹²

3.1.2.1 LAHLICE

This complex is used in all cases but one as a member of a ‘matching pair’, which Chapman defines as

pairs of alliterating or rhyming words that are bound closely together (seldom more than five words apart), almost always by coordinating conjunctions, in balanced, parallel phrases that usually consist of two stresses (1995:124).

When used in this way, the other member of the pair is always *regollice*: ‘ne ure ænig his lif ne fadode swa swa he scolde, ne gehadode **regollice**, ne læwede **lahlice**’ (WHom 20.1 59–60 = WHom 20.2 71–73 = WHom 20.3 64–65; cp. Nap 59 307.14–15 and WPol 2.2.1 [Jost] 6).¹³ While ordained men have to live according to the Benedictine Rule, laity must do so according to secular laws.

In its other occurrence the adverb takes part in one of Chapman’s (1995:101ff) type E of echoing pairs: the first part of a complex echoes a simplex. *ÆLet* 2 10 (‘And seo æ forbead eac swylce synna and eac gewitnode þa þe wolice syngodon’) becomes ‘And seo lagu forbead eac swilce mancynne sinna to gefremmene and eac **lahlice** gewitnode þa ðe wolice singodon’ in *WÆLet* 2 10.¹⁴ This is the only case when the adverb

12. On *griðlagu*, see below, 4.1.1.2.

13. ‘Nor has any of us regulated his life as he should have, neither clerics according to rule, nor laymen according to the law’.

14. ‘And the law also forbade such sins and likewise punished those who sinned perversely’, *ÆLet* 2 10; ‘and the law likewise forbade committing such sins against humanity and punished lawfully those who sinned perversely’, *WÆLet* 2 10. Underlining in the quotations from *WÆLet* 2 marks the words which Wulfstan altered (in a way other than mere spelling) or added.

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refers to God's law. The incorporation of the adverb where there was none contributes to the stylistics of the Wulfstanian revision: (1) morphologically, because a polyptoton appears with the use of *lag-* in two different word-classes; and (2) phonetically, because the adverb reinforces the presence of the liquid, and enhances the echoing endings of *swylce* 'such' and *wōhlice* 'perversely'.

3.1.2.2 LAGIAN

Like *lahlice*, this verb mainly refers to the passing of laws in the human sphere:

(1) LawXAttrProl 1 explains that Æthelred wants 'eallum minum leodscype rihtlicast **lagian** þa þing to þearfe þe we scylan healdan',¹⁵ whereas in Nap 51 274.7 Wulfstan encourages his audience thus: 'Leofan menn, **lagiað** gode woroldlagan'.¹⁶

(2) LawVIIIAttr 7 and Nap 50 272.6–8 command that whoever does not pay God's dues and other taxes shall face the fines 'þe Eadgar cyningc **gelagode**'.¹⁷ Similarly, LawVIIAttr 3 = Nap 39 181.4–10 and Nap 35 172.2–4 = Nap 36 173.28–30 explain the fines to be imposed in similar circumstances 'swa swa hit **gelagod is**'.¹⁸ WHom 20.1 22–25 = WHom 20.2 28–31 = WHom 20.3 27–30 complain about the fact that, while heathens do not dare 'forhealdan lytel ne micel þæs þe **gelagod is** to gedwolgoda weorðunge',¹⁹ Christians do not pay God's dues properly.

Wulfstan's works also record many of the verbs used in the previous legal codes to refer to the promulgation of laws:²⁰

15. 'For the advantage of all my people, ordain most justly the conditions which we should observe'.

16. 'Beloved men, enact good secular laws'.

17. 'Which King Edgar instituted by law'.

18. 'As it is prescribed by law'.

19. 'Withhold little or much of what is (legally) prescribed for the worship of false gods'.

20. For a more detailed list of the Old English verbs which could have this meaning, see *TOE* under 14.01.06 ('a rule, order, precept, tenet, principle').

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- (1) *settan*: ‘God sylf **sette** lage’ (WHom 6 103);²¹ ‘wise wæran woroldwitan, þe to godcundan rihtlagan þas laga **setton**’ (LawHad 11; with *woruldlagu* ‘worldly law’ instead of *lagu* in LawVIIIATR 36 and LawGrið 24);²²
(2) *rædan*: ‘**ræde** ge nu forð lagan gode’ (Nap 51 275.11–12);²³
(3) *cweðan*: ‘gyf hwa þonne þa teopunge gelæstan nelle, swa we **gecweden** habbað’ (LawICn 8.2).²⁴

In most cases the choice between the Norse-derived verb and one of the native verbs is determined by stylistic factors. In LawXATR Prol 1, Nap 51 274.7, WHom 20.1 22–25 = WHom 20.2 28–31 = WHom 20.3 27–30, Nap 35 172.2–4 = Nap 36 173.28–30, LawVIIIATR 7 and Nap 50 272.8 the presence of *lagian* seems to respond to a clear attempt to create alliteration and consonance. In some places, a polyptoton where the root *lag-* is used in a noun and a verb may also have played a role in Wulfstan’s choice. An attempt not to overdo these stylistic effects may be the reason for the selection of *settan* in LawHad 11, LawVIIIATR 36 and LawGrið 24 because *rihtlagu* (on whose meaning see below, 3.2.5.2) and (*woruld*)*lagu* stand very close. In WHom 6 103 Wulfstan follows his general tendency to avoid *lagian* when God is the legislator, and stresses through alliteration the connection between God and the creation of laws. In LawVIIATR 3 = Nap 39 181.4–10 the possibility of associating through alliteration the law (*lagian*) and the payment of one’s dues (*gelæstan*) may have contributed to the selection of the Norse-derived term instead of a synonym. In fact, *gelæstan* is common to all the passages where this verb appears except for *WÆLet* 2. The selection of *cweðan* in LawICn 8.2 may then be surprising, but it ceases to be so when one realizes that it repeats LawIIEg 3.1, which contains the same verb, almost verbatim. The use of *rædan* in Nap 51 275.11 is difficult to interpret, although it may respond to Wulfstan’s attempt to express, through commoratio, the importance of the creation of good laws. *Nap 51* starts with the clause ‘Leofan menn, **lagiað gode woroldlagan**’, and

21. ‘God himself enacted the law’.

22. ‘The secular councillors who added these laws to the just ecclesiastical laws were wise’.

23. ‘Enact good laws from now on’.

24. ‘If anyone refuses then to render the tithes as we have decreed’.

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has ‘**ræde** ge nu forð **lagan gode**’ as the penultimate sentence.²⁵

As with *lahlice*, the only case where *lagian* does not refer to the passing of secular laws is found in a ‘type E’ construction. *ÆLet* 2 146 reads: ‘Nu ge habbað gehyred be gehadedum mannum, ge on þære ealdan æ ge on þære niwan gecyðnyse’.²⁶ *WÆLet* 2 146 has instead ‘Nu ge habbað gehired be gehadodum mannum, ge on ðære ealdan lage ge on ðære niwan gecyðnesse, hu hit **gelagod wæs**. Warniað eow silfe be þam þe ge willað’.²⁷ By substituting *lagu* for *Ælfric*’s *æ* *Wulfstan* replaces the initial alliteration based on the vowels with the consonance based on the liquid, and this new effect is reinforced by *lagian*, together with ‘silfe’ (‘[your]selves’) and ‘willað’ (‘want’) (see below, 3.2.3). The old and the Christian legislation, the individuals themselves and their will become closely bound through the liquid.

3.1.2.3 LAHWITA

The only attested use of *lahwita* ‘lawyer’ in the *Wulfstanian* corpus (and *OEC*) responds to the archbishop’s fondness for the alliterating pair *lār* ‘learning’ ~ *lagu* (see below, 3.1.3.1), which are contrasted through two echoing compounds: ‘Cyningan and bisceopan, eorlan and heretogan, gerefan and deman, **larwitan** and **lahwitan** gedafenað mid rihte for Gode and for worulde, þæt hi anræde weorðan and Godes riht lufian’ (*WPol* 2.1.1 [Jost] 41).²⁸

3.1.3 THE *LAGU* WORD-FIELD IN THE RELIGIOUS SPHERE

The collocations and various complexes containing *lagu* discussed in this section reflect the fusion of the religious and secular spheres which

25. For a translation, see above, notes 16 and 23 in this chapter.

26. ‘Now you have heard about men in orders, in the old law and in the New Testament’.

27. ‘Now you have heard about men in orders, in the old law and in the New Testament, as it was prescribed by law. Instruct yourselves according to [the examples of] whichever of them you want’.

28. ‘It rightly befits kings and bishops, earls and generals, reeves and judges, scholars and lawyers, that they be in agreement in the sight of God and the world, and love God’s justice’.

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characterizes Wulfstan's use of the term (and the Wulfstanian canon in general; see above, 1.1.1).

3.1.3.1 *VERB + LAGU AS DIRECT OBJECT: THE UNION OF HOMILY AND LAW*

Wulfstan's compositions and revisions are characterized not only by the use of *lagu*, but also by the repetitive collocations in which it appears as the direct object of a specific verb (cp. Jost 1950:170–71). Table 3 records these collocations (except for the collocations with verbs meaning 'to enact', on which see above, 3.1.2.2).

Wulfstan's favourite alliterative pair *lagu ~ lār* (in any order) appear as the direct object (or the subject of a passive construction) next to basically the same verbs as *lagu* on its own, with only a few additions:

- *fylgan / folgian* 'to follow': WHom 10c 10, WHom 10c 14, WHom 10c 19, WHom 10c 40, LawVIAtr 42.2 = Nap 59 308.26–27, WPol 2.1.1 (Jost) 76, LawCn 1018 28
- *healdan* 'to keep': WHom 8c 28, LawXAtrProl 2
- *hȳran* 'to listen to, obey': WHom 15 35–36
- *smēagan* 'to meditate on' and *spyrian* 'to ask about': Nap 59 307.19 = LawICn 21
- *forgȳman* 'to neglect' and *oferhogian* 'to despise': WHom 19 60
- *forlāetan* 'to neglect, abandon': WHom 1b 9
- *forsēon* 'to neglect': WHom 20.1 44 = WHom 20.2 57 = WHom 20.3 49, Nap 50 268.4

Wulfstan's preference for the verbs *healdan* and *fylgan / folgian* is obvious. The use of *healdan* is not surprising because it is commonly used together with words referring to decrees, laws, commands, etc. in non-Wulfstanian legal and non-legal literature.²⁹ The use of *fylgan / folgian*, however, seems to have entered Wulfstan's legal language from his homiletic background. This phenomenon is common to other words favoured by the archbishop: e.g. Richards (1989:15) explains that *folc* 'people, nation', a term which Wulfstan uses frequently, was fairly popular

29. E.g. LawIne 1.1, LawVIAs 10, GuthA,B 55 and Mk (WSCp) 7.8 and 7.9.

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Keeping/following the law	
<i>fylgan</i> / <i>folgian</i> ‘to follow’	WHom 5 115, LawGrið 19, WHom 8c 68, WHom 20.1 121 = WHom 20.2 169 = WHom 20.3 193, WPol 2.2.1 (Jost) 2 = Nap 59 308.26–27, WPol 6.2 (Jost) 147 = LawIICn 84.1, LawCn 1018 1
<i>gȳman</i> ‘to take notice of, observe’	WHom 10c 119, WHom 8c 132, LawVIATR 12.2, WHom 20.1 21 = WHom 20.2 27 = WHom 20.3 26, LawVIIIATR 43.1 = LawCn 1018 14.4 = Nap 50 271.16 = Nap 59 308.12 = LawICn 26
<i>healdan</i> ‘to keep’	WHom 19 4, WHom 19 72, WHom 3 30, WHom 5 82, WHom 9 62, WCan 65.b = WPol 2.1.2 (Jost) 77 = WPol 2.1.1 (Jost) 153 = LawVIIIATR 30, WÆLet 2 200b, WHom 10c 33–34, WHom 10c 119–20, WHom 10c 201, WHom 8c 25, LawVATR 10 = LawVIATR 11 = LawICn 6.3, Nap 51 274.13, Nap 35 172.12, WHom 20.1 32 = WHom 20.2 38 = WHom 20.3 37, LawVIIIATR 43, WHom 21 32, LawCn 1018 12.4, LawCn 1020 13
Being interested in keeping/learning about the law	
<i>lufian</i> ‘to love’	ChronD (Cubbin) 959.5 = ChronE (Irvine) 959.6
<i>reccan</i> ‘to be interested in’	WPol 2.1.2 (Jost) 105 = WPol 2.1.1 (Jost) 210
<i>smēagan</i> ‘to mediate on’	ChronD (Cubbin) 959.11 = ChronE (Irvine) 959.15
<i>spyrian æfter</i> ‘to ask about’	WHom 11 196
Promoting the law	
<i>upp</i> (<i>ā</i>) <i>ræran</i> ‘to establish, promote’	LawXATR 2 = LawVATR 1.1 = LawVIATR 8 = LawCn 1018 3 = LawICn 1
<i>wīsian</i> ‘to instruct’	WHom 6 103
Breaking/despising the law	
(<i>ā</i>) <i>breca</i> n ‘to break’	WHom 15 38, WHom 19 5, ChronD (Cubbin) 975.12–13
<i>forgȳman</i> ‘to neglect’	WHom 8c 131
<i>forsacan</i> ‘to oppose, neglect’	LawCn 1018 26 = LawIICn 15.2
<i>oferhogian</i> ‘to despise’	Nap 60 309.28
<i>wyrdan</i> ‘to violate’	LawVIATR 50, WPol 2.1.2 (Jost) 14 = WPol 2.1.1 (Jost) 17, LawIICn 15.3, LawIICn 83

Table 3. Verbs with which lagu collocates as direct object

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among homilists, but not much so among legislators. No examples of the collocation containing *fylgan* / *folgian* or *gȳman* + a direct object which denotes ‘law, rule, decree’ have been found in legal codes outside the Wulfstanian canon, but they appear in religious texts.³⁰ The association of *gȳman* with religious texts is closely observed by Wulfstan, who, besides employing it next to *lagu*, also favours its union with *regol* ‘monastic rule’ (e.g. LawVATR 5 = LawVIATR 3) or *bebodu* ‘commandments’ (e.g. WHom 8c 27).

The expression *lage upp* (*ā*)*rēran*, which Wulfstan only used in his legal codes, offers another example of the blurred boundaries between the legal and homiletic language. (*Ā*)*rēran* is also attested outside the Wulfstanian canon together with *ā(w)*, but, as in the case of *fylgan* / *folgian*, only in religious texts (e.g. ÆLS [Maccabees] 243–45). Surprisingly, this collocation does not appear in those codes with the clearest ecclesiastical aim, e.g. the *Peace of Edward and Guthrum*, *VIIa Æthelred* or *I Cnut*.

One ought not to forget, however, that *healdan* is the verb which collocates most frequently with *lagu* in Wulfstan’s legal compositions. Moreover, the structures with *fylgan* / *folgian*, *gȳman* and (*ā*)*rēran* are almost literally copied from one Wulfstanian composition to another, unlike those with *healdan*. This suggests a greater degree of creativity and freedom in the use of the latter. The coexistence in Wulfstan’s legal works of a majority of collocations based on well-established legal terminology and a minority containing terms which are uncommon in the legal world confirms Richards’s opinion on the process towards standardization of legal vocabulary in Anglo-Saxon legal codes:

These examples indicate that standardizing tendencies in vocabulary choices did not operate exclusively, and the choices reflected in the laws did not always indicate a preferred legal vocabulary. But within the laws a strong tradition can also be seen on the level of general vocabulary (1989:14).

30. E.g. PPs 118.51 and LS 28 (Neot) 133.36. On the use of this collocation in a spurious writ purporting to date from Edward the Confessor’s time (also in a religious context), see below, 8.2.1.3.

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3.1.3.2 *UTLAH* AND *UTLAGA*

De Vries (1961:s.v. *útlagr*) explains that ON *útlagr* ‘outlawed’ should be associated with ON *út* ‘out’ and *leggja* ‘to lay’, rather than with ON *lqg* (cp. Wennström 1933:79–85 and Åqvist 1968:248–50). However, when discussing ON *útlagi* ‘outlaw’, Logeman acknowledges that

from the very first when the English borrowed it, they must have connected it with *lagu* [...] For, if they had [...] recognised it as being connected with *leggja* [...], then no doubt we should have found traces of a change of form in the direction to *out-lay. Whether such a conception ever crossed the mind of anyone in those times we have, of course, no means of determining; all we can say is that the extant forms do not point to it (1906:270–71).

Likewise, Hofmann (1955:§209) mentions the close relationship between OE *ūtlah* ‘outlawed’ and OE *lagu*. In this respect, despite the actual etymology of the Old Norse term, the connection which probably existed in the Anglo-Saxons’ minds between *ūtlah* / *ūtlaga* ‘outlaw(ed)’ (as well as *inlagian* ‘to reverse sentence of outlawry’) and *lagu* justifies the analysis of these terms as members of the *lagu* word-field.

In the Anglo-Saxon texts outside the Wulfstanian canon where *ūtlah* / *ūtlaga* appear, they have a purely legal sense, i.e. they refer to someone who has been expelled from the community, and who, accordingly, has to forfeit his possessions and his right to protection. In the Wulfstanian canon, thanks to the integration of *lagu* in the religious sphere, these terms can also be used outside that restricted sense.

Besides those contexts where the terms have a purely legal sense (LawEGu 6.6 = LawIICn 48.2, LawIICn 13, LawIICn 30.9, LawIICn 31.2, LawIICn 66.1), Wulfstan’s canon contains others referring to both the secular and religious spheres. Anyone who goes against God’s and the king’s justice and laws will be considered both an outlaw and an excommunicated Christian: e.g. ‘Gyfhwa weofodþen afylle, sy he **utlah** wið God 7 wið men, butan he þurh wræcsið þe deoppor gebete, 7 eac wið ða

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mægðe' (LawIICn 39).³¹

In other cases, the religious sense dominates over the secular one, although the latter does not disappear completely:

gif hit hwa gedon hæbbe, beo he **utlah** wið god and amansumad
fram eallum cristendome and wið þone cyningc scyldig ealles þæs
þe he age, buton he raðor geswice and þe deoplicor gebete wið god
(Nap 50 271.23–27 = LawCn 1020 17).³²

The association of God with the punishment of outlawry reinforces the legislative role which Wulfstan attributes to Him time and again through the phrase *Godes lagu* 'God's law'.

These complexes partake of the same fusion of the two spheres represented by other native terms.³³ *Āmānsumad* 'excommunicated', which in most cases has a purely religious meaning (e.g. WPol 2.1.1 [Jost] 157), occasionally bears a secular legal sense:

7 gyf ænig **amansumad** man, butan hit friðbena sy, on þæs cynges
neaweste ahwar gewunige, ær ðam þe he hæbbe godcunde bote
georne gebogene, þonne plihte he him sylfum 7 eallan his æhtan
(LawVAtr 29).³⁴

The threat of losing one's life is connected with secular matters rather than with religious ones. In the previous legal documents where *āmānsumad* appears the religious aspect of the punishment is not as clearly overwhelmed

31. 'If anyone slays a minister of the altar, he shall be excommunicated and outlawed, unless he very deeply makes amends by pilgrimage, and likewise by [paying compensation] to the kin'.

32. 'If anyone has done so, he shall be outlawed before God and excommunicated from all Christendom, and shall forfeit to the king all that he owns, unless he desists quickly and makes amends very deeply to God'.

33. On the medieval connection between the secular and the religious spheres regarding excommunication, see Evans (2002:26).

34. 'And if any excommunicated man, unless he is a suppliant for protection, remains anywhere in the king's neighbourhood before he has submitted readily to ecclesiastical atonement, then he shall compromise his life and all his possessions'.

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by the secular sphere.³⁵

Together with *ūtlah* / *ūtlaga*, Wulfstan also referred to outlaws with the traditional term *flȳma*. It is commonly found in previous legal codes (e.g. LawIIAs 2.1, LawIIAtr 10), albeit with a slightly different meaning, viz. ‘fugitive’.³⁶ That Wulfstan did not interpret this word with its traditional meaning but as a synonym of *ūtlaga* is suggested by the fact that it appears in a context dealing with issues associated with outlaws: LawIICn 13 decrees that it is up to the king to decide whether someone who has performed a deed deserving outlawry (‘utlages weorc’) shall actually become an outlaw (see below, 4.1.1.1), while LawIICn 13.2 mentions the course of action to be imposed on whoever ‘þone **flyman** fede oððe feormie’.³⁷ This interpretation is also supported by the translation of LawIICn 13.2 in *Instituta Cnuti*, where ‘flyma’ is translated as ‘exulem (quem Angli vocant utlaga)’.³⁸

The collocations with *flȳma* and *ūtlah* / *ūtlaga* in the Wulfstanian corpus are clearly modelled on previous usage. Whereas *flȳma* collocates with verbs indicating harbouring or feeding, e.g. *habban*, *fēdan* and *feormian* (cp. LawIne 30 and LawIIEw 5.2), *ūtlah* / *ūtlaga* tend to collocate with the verb *bēon* ‘to be’, following the pattern set by the three previous occurrences of *ūtlah* in legal codes (viz. LawIAtr 1.9a and 1.13, and LawIIAtr 1.2). The influence of previous Æthelredian legislation in this respect is supported by the fact that LawIICn 30.9 copies the wording of LawIAtr 1.9a. Only in LawVIIAtr 42 and LawIICn 66.1 do the Norse-derived terms appear with

35. E.g. LawAf 1.7 decrees that a perjurer who escapes the imprisonment set on him by the bishop shall be excommunicated, and LawAf 1.8 demands that whoever stands surety for him shall pay a fine for the breach of surety, as well as the fine for the breach of faith prescribed by his confessor.

36. On the semantic change of *flȳma*, see Liebermann (1910:18–20) and Lundgren (1996:13). Liebermann offers a detailed description of the Anglo-Saxon vocabulary for outlawry, but his article should be treated carefully because it misdates the *Peace of Edward and Guthrum* and Cnut’s codes. Robertson (1925:181) and Whitelock (1979:455–67) prefer to interpret this term in *II Cnut* according to its traditional usage.

37. ‘Feeds or harbours the outlaw’.

38. ‘The banished person (whom the English call *ūtlaga*)’.

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habban. The use of this verb in the latter, however, could have been determined by its collocation with *flȳma* in LawIICn 66.

Wulfstan also expressed the meaning ‘outlaw’ with *friðlēas*, which is discussed below, 4.1.1.1. Notably, except for the occurrence of *ūtlah* in the *Peace of Edward and Guthrum* and *VIII Æthelred*, references to outlawry tend to be concentrated in texts from the reign of Cnut. Whether this suggests an increasing preoccupation of the archbishop with this topic or the influence of the Danish king, to which Wulfstan would have added his particular religious interpretation, is difficult to say.³⁹ What is interesting is that these words appear mainly in collocations used by previous legislators, which, as in other cases, shows that Wulfstan was very much aware of the legal tradition behind him. Even so, as seen with other terms, he also took some freedom so as to express the oft-repeated need to combine the religious and secular spheres.

3.1.3.3 INLAGIAN

This verb occurs only in one context in the Wulfstanian canon: ‘And þæt is þone ærest, þæt he his agenne wer gesille þam cyninge 7 Christe 7 mid þam hine silfne **inlagige** to bote’ (LawVIIIATR 2 = LawICn 2.4).⁴⁰ The concept of paying money so as to acquire legal rights is present in other codes: *lahcōp* in LawIIIAtr 3 may refer to it (cp. ON *lögkaup* ‘purchase of legal rights’; see Neff 1989:290–91), while it appears in LawIIIAtr 3.3 and LawIIIAtr 8.2 through the expression ‘bige him lage’.⁴¹ The context of the Wulfstanian decree suggests a possible reason behind Wulfstan’s preference for the derivative over the phrase. LawVIIIATR 1.1 describes what will happen to the person who breaks the sanctuary of a church, and kills someone in its walls: he is to be pursued, and, supposedly, killed, unless he reaches an inviolable sanctuary, in which case the king has to grant him his

39. On the possible influence of the Scandinavians on the Anglo-Saxons’ perception of outlawry, see above, 2.3.4.3.

40. ‘And the first is that he shall give his own wergild to the king and Christ, and with it reverse the sentence of outlawry for himself [and gain] the right to make compensation’.

41. ‘Shall buy law for himself’.

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life with the condition that he makes full amends with both God and men. Thus, besides contributing to linguistic economy, *inlagian* has the advantage of expressing literally what the person is expected to do: he has to pay his wergild to gain back his position ‘inside’ the law, and to stop being an *ūtlaga*, a term which is not mentioned, but which is implicit in the situation described.⁴²

3.1.3.4 *MÆGLAGU AND REGOLLAGU*

The existence of *mæglagu* ‘law as to relatives’ and *regollagu* ‘monastic law’ is clearly determined by Wulfstan’s fondness for ‘matching pairs’ of echoing compounds. Their similarity and the extension of their morphological and lexical parallelism to the structure of the clauses where they occur (pronoun + verb + adverbial phrase) emphasize the contrast between the secular and the religious spheres in their only attestation in Wulfstan’s works (and *OEC*):⁴³ ‘And ne þearf ænig mynstermunuc ahwar mid rihte fæhðbote biddan ne fæhðbote betan: he gað of his **mæglage**, þonne he gebihð to **regollage**’ (LawVIIIAttr 25 = LawICn 5.2d).⁴⁴

3.1.3.5 *LAHGEWRIT*

Like *mæglagu*, *regollagu* and *lahwita*, *lahgewrit* ‘legal writing’ (not in Clark Hall 1960) is included in a structure dominated by a ‘matching pair’, but, unlike them, it is not a member of the pair itself:

Ealdlice **lahgewritu** 7 eac godspellice bebodu us lærað 7 myngiað
þæt we eallum mode 7 eallum mægene ærest God lufian 7 wurðian,

42. On the importance of economy and precision in legal terminology, see Tiersma (1999:108); cp. Wulfstan’s coinage of *handgrið* (see below, 4.1.1.2).

43. On the legal implications of *mæglagu*, see Jolliffe (1947:3–4).

44. ‘And no cloistered monk anywhere need by right demand compensation in a feud nor pay compensation in a feud; he leaves the law concerning relatives when he submits to the monastic law’.

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7 syðþan ure nextan lufian 7 healdan swa swa us sylfe (WHom 10a 3–6).⁴⁵

This passage shows a very clear structural parallelism: a double subject (formed by adjective + noun) is mirrored by its agreement with two verbs (‘lærað’ and ‘myngiað’), which dominate a double direct object. This direct object is, in its turn, formed by a first clause with two adverbial phrases and two verbs, and a second clause also with two verbs. Structural parallelism is supported by other stylistic effects. Rhyme links the elements within the subject and all the verbs in the subordinate clauses. At the same time, the two subordinate clauses are linked by their shared subject and by the diacope based on ‘lufian’. Such complex parallelism would be less elaborate if a member of the *lagu* word-field appeared in a phrasal structure instead (i.e. **lahlice gewritu*).⁴⁶

3.2 THE INTEGRATION OF THE *LAGU* WORD-FIELD IN THE PRE-EXISTING LEXICAL FIELD

The meanings developed by *lagu* put it in contact with various native word-fields previously used to express those senses which *lagu* is rapidly taking over. The interaction of these terms in the Wulfstanian corpus is the concern of the following lines.⁴⁷

3.2.1 *LAGU* AND *DŌM*

Cummings (1971:308–21) explains that in the early Anglo-Saxon codes *dōm* could mean both ‘decree’ and ‘judicial decision’ (e.g. LawWi 5, 5.1 and 6).

45. ‘Old writings on the Christian law and evangelical commandments teach and remind us that we should, first of all, love and worship God with all our heart and power, and secondly, love and support our neighbour like ourselves’.

46. For further reasons for the use of this compound, see below, 3.2.5.1.

47. *TOE* presents a much more comprehensive list of (partial) synonyms of *lagu* under 14 (‘law, custom, covenant’), 14.01 (‘law, body of rules’), 14.01.02 (‘a law, statute’), 14.01.06 (‘a rule, order, precept, tenet, principle’), 14.03.03 (‘law, action of the courts’), 16.02.01.08.01 (‘the Old Testament’) and 16.02.01.09 (‘the Law’). This section concentrates only on those which are recorded in the Wulfstanian canon.

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This practice stopped after *ca*963, with LawIVEg 2a.1 and 12.1 presenting probably the last cases of *dōm* meaning ‘decree’ or ‘article of legislation’. Later codes have the terms *gerēdnes*, *āsetnes* or *lagu* in the rubrics instead, although *lagu* soon became almost the only word for an internal reference to an article of legislation. Thus,

with the adaptation of Norse *lagu* as the term for legislation, the English language made final, and belated, recognition that the *domas* [sic] of the tenth century were not the same things as the *domas* [sic] of the seventh century, and therefore should not be called by the same name (Cummings 1971:320).

Taking this explanation as the starting point, Cummings (1971:321ff) establishes that Wulfstan’s homilies and laws are very consistent in the use of *dōm* to indicate merely ‘judicial procedure’ or ‘judgement’, not ‘law’. Admittedly, this is generally the case:

7 sy on cynges **dome**, hwæðer he lif age þe nage (LawGrið 9).⁴⁸
7 heonon forð læte manna hwylcne, ge earmne ge eadigne,
folcrihtes weorðne, and him man rihte **domas** deme (LawIICn
1.1).⁴⁹

However, there are some contexts where the distinction between *dōm* and *lagu* becomes blurred:

(1) Wulfstan quotes the text from Matthew 7.12 in WHom 10b 24–25: ‘Omnia ergo, quaecumque uultis ut faciant uobis homines, ita et uos facite eis. Haec est enim **lex**’.⁵⁰ In WHom 10c 32–33 he renders this passage as follows: ‘he georne eac lærde þæt manna gehwile oðrum beode þæt þæt he wille þæt man him beode. Ðæt is rihtlic **lagu**, 7 se bið gesælig se þe hy

48. ‘And it shall be up to the king’s judgement whether he lives or not’.

49. ‘And henceforth every man, both poor and rich, shall be regarded as entitled to [the benefit of] the common law, and just decisions shall be pronounced for them’.

50. ‘All things therefore whatsoever you would that men should do to you, do you also to them. For this is the law’. Translations of the New Testament follow the edition by the English College of Rheims (1797). Other than when quoted in Wulfstan’s works, passages from the Bible follow the edition by Weber et al. (1994).

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gehealdeð'.⁵¹ In WHom 8c 112–15 the translation employs a different term to render 'lex':

And ðy hit is rihtlic **dom** þæt ænig cristen man oðrum ne beode
butan þæt he wille þæt man him beode, 7 se byð swyðe gesælig þe
þæne **dom** rihtlice gehealdeð.⁵²

LawICn 18.2 has *dōm* again in a freer translation of the gospel: '7 ure ælc oðrum beode þæt we willon, þæt man us beode: þæt is rihtlic **dom** 7 Gode swiðe gecweme; 7 se byð swiðe gesælig, þe þone **dom** gehylt' (cp. WHom 18 145).⁵³ Cummings (1971:323) indicates that the reason why *dōm* can be used in this case is that the command to treat others in the way in which we want others to treat us is a maxim, rather than a law. This observation might have been triggered by the fact that 'maxim' is the translation which Robertson (1925:169) provides for *dōm* in this context. However, the word used in the gospel is clearly *law*, and this sense is emphasized by the fact that the lines before the previously quoted Latin passage refer to the Ten Commandments, which are called 'mandata legalia' ('legal commandments') (WHom 10b 10). Likewise, in WHom 8c and WHom 18 the rendering of the gospel is preceded by a reference to the two most important Commandments: to love God above everything else, and to love one's neighbour as one loves oneself. These two Commandments are explained in Matthew 22.37–39, Mark 12.30–31 and Luke 10.27. While St Matthew and St Mark employ the term 'mandatum' ('commandment'), St Luke presents them as Christ's answer to the question 'in lege quid scriptum est?' (Luke 10.26).⁵⁴ Consequently, there is no reason to differentiate the character of the command as expressed in Matthew 7.12 and those Commandments given by God upon Mount Sinai.

51. 'He also taught very eagerly that each one should treat others as he wants others to treat him. That is a true law, and he who keeps it shall be blessed'.

52. 'And it is a true law that every Christian should treat others as he wants others to treat him, and whoever keeps this law properly shall be greatly blessed'.

53. 'And each of us shall treat others as we desire ourselves to be treated; that is a just law, and very pleasing to God; and he who keeps that law shall be greatly blessed'.

54. 'What is written in the law?'

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(2) In WPol 2.1.1 (Jost) 162 = Nap 50 270.23–25 one reads: ‘ðe to ðam bryste sin, þæt hi god oferseoð and swa mæniges haliges mannes **dom**, swa on ðysum sinoðom gesamnode wæron’.⁵⁵ The synods referred to are mentioned in WPol 2.1.1 (Jost) 154–57, which also talk about the decrees they set regarding the behaviour of God’s servants as far as celibacy, celebration of mass and other issues are concerned. WPol 2.1.1 (Jost) 157 explains that one of the decrees established in these synods was that if ‘weofodþegn, þæt is biscop oððe mæssepreost, gewifode, þæt he þolode ðananforð æfre his hades and amansumod wurde’.⁵⁶ This is in keeping with the definition which Cummings proposes for legislation: ‘the declaration by an authorised power that something shall or shall not be done “or else”’ (1971:311). Thus, *dōm* in WPol 2.1.1 (Jost) 162 = Nap 50 270.23–25 should be translated as ‘decree’ (cp. Swanton 1993:197).

It seems reasonable to conclude that, even though Wulfstan’s lexical choices normally maintain the distinction between the judicial and the legislative spheres, *dōm* can still mean ‘decree, legislative act’. This usage would not have been alien to Wulfstan’s contemporaries because, for instance, Ælfric calls *dōmbēc* the decrees which the Lord set for the Israelites on Mount Sinai (ÆCHom II, 12.1 134–36).

3.2.2 *LAGU* AND *GERÆDNES*

As explained in the previous section, after *IV Edgar dōm* was no longer the favoured word among legal writers to refer to decrees. Instead, *gerædnes* and *lagu* took over, while *āsetnes* is only found once in a legal code (LawWILad 0.1).

Rather than collocating with *settan* or *āsettan* as *dōm* does, *gerædnes* is normally found in the structure: ‘Ðis is seo **gerædnes**, þe [legislators, normally the king and the *witan*] + **cweðan** / **rædan**’ (LawVIAs 0.2, LawIIEg 0.1 and LawIAtr 0.2).⁵⁷ Wulfstan’s understanding of the

55. ‘Those who are so presumptuous that they scorn God and the decree of so many holy men as were assembled at these synods’.

56. ‘A minister of the altar, that is a bishop, or priest, married, that he should forfeit his order for ever or should be excommunicated’.

57. ‘This is the ordinance which [...] + enact / decree’.

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importance of formulaic phrases in the legal codes is well exemplified by this word. Except for two occurrences in the *Canons of Edgar* where it refers to what purport to be Edgar's rules for the secular clergy (WCan 1) and the decisions of synods (WCan 3), it only appears in his legal works (e.g. LawXAttrProl 3, LawVAtr 0.2, LawVIAtr 0.2 and LawIXAttr 1).

Wulfstan's particular style is noticeable in the following structure: '7 ures hlaforðes **gerædnes** 7 his witena is, þæt...' or '7 witena **gerædnes** is, þæt...'.⁵⁸ This structure is not found in the previous legal codes, and, as far as the Wulfstanian canon is concerned, it only occurs in the codes which Wormald (1978 and 1999d) identifies as three versions of the Enham decrees, viz. *X Æthelred*, *V Æthelred* and *VI Æthelred*, and, not surprisingly, in *Cnut 1018*. The latter would have been drafted in a period close to the compilation of *VI Æthelred*, according to Wormald's dating (see above, 1.1.1.2 and 1.1.2). This structure occurs in *Cnut 1018* in some decrees which copy those of the Enham codes.⁵⁹ Therefore, its occurrence in the ones which do not (viz. LawCn 1018 4, 7 and 8) may have been triggered by its use in the surrounding decrees. Wulfstan's structure offers an advantage over the more traditional one: it stresses the direct connection between the authorities, their legislative power and that which is decreed.

LawIIIAtr 0.1 set a precedent by replacing *gerædnes* with *lagu* in the normal structure: 'Ðis syndon þa **laga**, þe Æðelred cyng 7 his witan gerædd habbað at Wanetinge to friðes bote'.⁶⁰ Yet, Wulfstan only chose the loanword in a similar construction once: 'Þis is seo **lagu**, þe we healdan sculan: ærest we sculan ænne god lufian and wyrðian and ælcne oðer oferhogian' (Nap 51 274.12–14).⁶¹ This structure combines the use of a relative clause with *lagu* as the antecedent with the selection of *healdan*, a frequent companion of *lagu* in the Wulfstanian canon (see above, 3.1.3.1),

58. 'And the ordinance of our lord and his *witan* is that'; 'and the ordinance of the *witan* is that'.

59. Viz. LawCn 1018 3 = LawVAtr 1.1 and LawVIAtr 8, LawCn 1018 5 = LawVIAtr 3, LawCn 1018 6 = LawVAtr 2 and LawVIAtr 9.

60. 'These are the laws which King Ethelred and his *witan* have decreed at Wantage, for the improvement of security'.

61. 'This is the law we should hold to: first of all we should love and worship one God only, and refuse the rest'.

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instead of *cweðan* or *rædan*. This combination grants the structure a transitional character between the legal formula and the other occurrences of the word *lagu* in the corpus, possibly as an indication of the legal character of the Commandments.

The alternation between *lagu* and *gerædnes* and the structures in which the latter is found in the Wulfstanian texts is another example of the fact that, although the archbishop was well aware of the formulaic legal language expected from a legislator, he felt free to innovate and adapt it to his personal style.

3.2.3 *LAGU* AND $\bar{a}(w)$. THE SELECTION OF *LAHLIC*

Fischer (1989:104–05) records that, as far as legal texts are concerned, $\bar{a}(w)$ only appears in the codes by Hlothære and Eadric and Ine–Alfred, where it has the sense ‘traditional, collective law’, and is contrasted with *dōmas*, which refers to ‘new individual decrees’. In religious texts $\bar{a}(w)$ is widely attested with the meanings ‘religious or secular law’, as well as ‘religion’, ‘ceremony’, ‘marriage’ and ‘wife’.⁶²

It is common knowledge among the students of Wulfstan that his texts, unlike other religious works, do not use $\bar{a}(w)$ as a simplex, but exhibit *lagu* instead (e.g. Jost 1950:133–34). Ure (1957:39) uses this assertion as further evidence that Wulfstan’s composition of the prose sections of the *Benedictine Office* must have been influenced by a previous text by Ælfric, because otherwise this (LitBen 98.21) would be the only example of the simplex in the purely Wulfstanian corpus (see above, 1.1.1.2). There are some contexts where the two terms co-occur, but in Wulfstan’s original works $\bar{a}(w)$ is restricted to compounds, where it means ‘marriage’ or ‘wife’ (see also below, 7.3.1.2). Being aware of the polysemic character of the native term, Wulfstan always juxtaposes *lahbryce* ‘breach of the law’ and a compound with $\bar{a}(w)$ as the determinant: e.g. ‘egeslice manswara 7 defofollice dæda [...] on mistlican **lahbrycan**, on hadbrycan 7 on

62. See *TOE* sections 12.09 (‘marriage, state of marriage’), 14.01.02 (‘a law, statute’), and 16.02.01 (‘faith’). See further Weisweiler (1924) and Green (1998:31–33) for a detailed study of this term.

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æwbrycan’ (LawVATr 25, cp. LawVIATr 28.3).⁶³ This adds a semantic layer to the phonetic and morphological levels of word-play involved.

WÆLet 2 offers the most interesting co-occurrence of the two terms.⁶⁴ When considering Wulfstan’s behaviour in this revision, it is useful to bear in mind some terms used by dialectologists to describe the behaviour of scribes copying an exemplar written in a different dialect from theirs.

The first two concepts which need to be considered are the ‘active’ and ‘passive repertoire’ of a scribe:

For written language, the *active repertoire* of any scribe is that range of forms he uses in writing which does not involve copying – in other words, it comprises his *spontaneous usage*. [...] The

63. ‘Horrible perjuries and devilish deeds [...] of various breaches of law, of injuries to the clergy and of breaches of marriage’.

64. Jost (1950:133–48) studies the alterations which Wulfstan made to this letter, but he simply records the replacement of *æ* with *lagu* without offering any reasons behind it. Kubouchi has recently attributed the presence of *æ* to the fact that, given that the letter would have been addressed to an educated audience, ‘Wulfstan the Anglo-Saxon educator stood in the foreground. It seems that he wanted to remind his audience of the presence of old English equivalents, old familiar words’ (2006:147). It is quite hard to accept this explanation, especially if taken on its own; one would have expected a similar tendency towards the use of the native term, for instance, in *Polity*. On Wulfstan’s alterations of the Ælfrician texts, see also Ogawa (1989) on syntax; McIntosh (1949:121–24 and 139–40, note 29), Bethurum (1957:333) and Kubouchi (1999b and 1999c) on rhythm; DeLeeuw (1972:188–90) and Chapman (1995:63–71) on stylistic devices; and Godden (1980:111–12) on theological emphasis. See further Orchard (1992:240ff) and Rudolf (2001) for a general perspective on the alterations which Wulfstan made to Ælfrician texts. Rudolf is sceptical about the use of stylistic devices to determine the Wulfstanian canon because, he argues, they are not exclusively Wulfstan’s, but merely highlight an interest in clarity and the needs of oral delivery. His article, albeit very interesting as a reminder of the problems faced by modern scholarship, is not conclusive because the reviser’s working patterns he studies coincide with the trends identified in other reworkings attributed to Wulfstan. One of the features which troubles Rudolf is the inconsistency regarding the substitution of those terms normally preferred by Wulfstan for the Ælfrician ones, but the reviser’s behaviour in this respect is not very different from that in *WÆLet 2* as far as the replacement of *æ* with *lagu* is concerned. In both cases, alliteration and a taste for variation can explain most lexical substitutions (see below in this section).

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passive repertoire comprises those forms which are not part of the active repertoire, but which are nevertheless familiar in everyday usage as the forms of other writers, and which the scribe does not balk at reproducing (Benskin & Laing 1981:59).

The second pair of terms comprises the ‘relict forms’ found in a copy as opposed to the scribe’s ‘constrained usage’:

A relict form is one which does not belong to the scribe’s dialect at all, but is reproduced as an exotic [sic] from the dialect of the exemplar [...] ‘Constrained usage’ is the accommodation of a scribe’s own repertoire to that of the exemplar, which accommodation does not extend to the reproduction of exotic forms. Constrained usage may exclude forms expected in the dialect of the copyist; and the relative frequencies obtaining between variants in the scribe’s spontaneous usage may be much altered by adherence to the usage of an exemplar (Benskin & Laing 1981:74–75).

Even though Benskin & Laing (1981) apply these terms mainly to orthographic and phonetic features, they are here adopted to indicate lexical features. Whereas Ælfric’s ‘active repertoire’ at the stage when he sent *ÆLet* 2 to Wulfstan included *ǣ(w)* and not *lagu* as a simplex to express ‘law’, Wulfstan’s included only *lagu*, but he would have had the simplex *ǣ(w)* as part of his ‘passive repertoire’. Therefore, his maintenance of *ǣ* in some of the contexts where it appears in *ÆLet* 2 can be explained as a result of ‘constrained usage’.⁶⁵ The presence of *ǣ* in his exemplar is not the only constraint at work in Wulfstan’s revision, though. Others can be identified behind the replacement or maintenance of the Ælfrician term:

(1) When there is no phonetic reason (i.e. ‘strong’ alliteration based on /æ(:)/) to maintain *ǣ*, *lagu* is preferred over the native term, whereas *ǣ* is kept in the contexts where vocalic alliteration is clear. When assessing this tendency, one needs to bear in mind that Funke (1962a:313–14) points out that in the Wulfstanian corpus the elements bearing main stress are first of all nouns, full verbs and intensifying adverbs, whereas other adverbs,

65. Outside this section the phrase *constrained usage* is used more broadly to refer to those cases when Wulfstan’s lexical selection is clearly influenced by his source.

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auxiliary verbs and ‘form-words’ or ‘particles’ (pronouns, conjunctions, very rarely prepositions) are not always stressed. They may appear as stress-bearers when they occur in the initial position in a phrase.

(2) Taste for variation in contexts containing various cases of *ǣ* with the same premodifiers contributes to its replacement in some cases and its maintenance in others; this need for variation grants acceptability to some patterns of alliteration which are not maintained in other circumstances.

(3) New words are introduced in some contexts so as to emphasize the alliteration with either term (and, only with *lagu*, its semantic effects).

There are various cases where the presence or absence of ‘strong’ alliteration clearly determines the maintenance or replacement of the Ælfrician *ǣ*. On the one hand, *ǣ* is kept in WÆLet 2 34 thanks to the ‘strong’ alliteration which Ælfric himself had created: ‘ge on ðære **ealdan æ**, ge **eac** on ðære niwan’.⁶⁶ On the other hand, *ǣ* is replaced in WÆLet 2 10 and 146. In WÆLet 2 10, there are two examples of the replacement: in the first context there is a clear lack of alliteration and nothing argues in favour of *ǣ*; thus, one reads ‘gesette þa fif bec, on þam þe is Godes lagu’ in the Wulfstanian text.⁶⁷ The same replacement is found a few lines below. Wulfstan substitutes *lagu* for *ǣ* in the Ælfrician text ‘And seo **æ** forbead **eac** swylce synna and **eac** gewitnode þa þe wolice syngodon’,⁶⁸ and adds ‘to gefremmene’ (‘to commit’) after ‘synna’ (‘sins’), and ‘lahlice’ (‘lawfully’) before ‘gewitnode’ (‘punished’). Wulfstan could indeed have relied on the alliteration created by Ælfric. Instead, he prefers to use his preferred term and to reinforce it with ‘lahlice’, which allows him to create one example of Chapman’s (1995) ‘type E’ of echoing pairs (see above, 3.1.2.1). In doing so, he maintains the vocalic alliteration by keeping the two occurrences of ‘eac’ (‘also, likewise’) (which are echoed by the verb ‘forbead’ [‘forbade’]), and adds a polyptoton represented by the two members of the *lagu* word-field. In ÆLet 2 146 the only term which could argue in favour of the maintenance of *ǣ* is *eald* ‘old’, which, as exemplified by (W)ÆLet 2 34, is

66. ‘Both in the old law, and also in the new’. The spelling <ea> corresponds to /æ(:)ɑ/ (see Hogg 1992b:§ 5.21).

67. ‘Established the five books, in which is God’s law’.

68. ‘And the law also forbade such sins and likewise punished those who sinned perversely’.

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its common companion in Ælfrician compositions; however, Wulfstan prefers to replace *ǣ* with *lagu*, which is reinforced with ‘gelagod’ (‘prescribed by law’) and a whole new sentence: ‘Nu ge habbað gehired be gehadedum mannum, ge on ðare ealdan lage ge on ðare niwan gecyðnesse, hu hit gelagod wæs. Warniað eow silfe be þam þe ge willað’.⁶⁹ In this context, Wulfstan develops another polyptoton, and with it another ‘type E’ construction; he also creates a new echoic effect based on the liquid, which links one’s own intention with the law (on this context, see also above, 3.1.2.2).

Lack of strong alliteration together with Wulfstan’s preference for *lagu* may also lie behind Wulfstan’s replacement of *ǣ* with the Norse-derived term in WÆLet 2 119 and 128. However, an attempt to facilitate the utterance of these sentences may have been equally influential. Ælfric’s juxtaposition of ‘ealdan’, ‘æ’ and ‘Aaron’ in ‘Se forma biscop wæs, þe God silf gesette, on ðare ealdan æ, Aaron gehaten’ in WÆLet 2 119 seems to bear some resemblance to a tongue-twister,⁷⁰ and the difficulty involved in its pronunciation is counteracted by the presence of *lagu* in the Wulfstanian version. The Norse-derived term has a similar effect in WÆLet 2 128: ‘and þa moste on ðam dagum se Aaron and his æftergængan siððan niman him to gemacan, æfter Moyses lage, an clæne mæden’.⁷¹ The two monosyllabic terms ‘æ’ and ‘an’ appear next to each other in the Ælfrician original.

There are many cases where the effect of alliteration is balanced with the taste for variation. Thus, whereas Ælfric’s ‘An tyd wæs ær Godes æ’ is left unchanged in WÆLet 2 8a,⁷² ‘Oþer under Godes æ’ is replaced by ‘Oðer under Godes lagu’.⁷³ Similarly, in WÆLet 2 19, thanks to the presence of ‘strong’ alliteration, the native term is kept in ‘ðare ealdan æ, ær Cristes

69. ‘Now you have heard about men in orders, in the old law and in the New Testament, as it was prescribed by law. Instruct yourselves according to [the examples of] whichever of them you want’.

70. ‘The first bishop, whom God himself appointed in the old law, was called Aaron’.

71. ‘Then Aaron and his successors, according to Moses’ law, were allowed to take as wife a pure maiden’.

72. ‘One age was before God’s law’.

73. ‘The second under God’s law’.

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tocyme'.⁷⁴ Yet, a few lines below it is replaced by *lagu*: 'forþonþe men moston ær Moyses lage mistlice libban'.⁷⁵ Wulfstan's taste for variation makes him leave aside the 'weak' alliteration created by the noun and the preposition, while this pattern is deemed to be acceptable enough in WÆLet 2 8a. In fact, by carrying out the replacement, Wulfstan enhances the alliterative character of the sentence by relying on the alliteration based on the liquid, which is further supported by the adverbial ending of 'mistlice' ('variously'). The native term is kept again in the next clause: 'and under Moyses æ mancyn eac lifode on oðre wisan'.⁷⁶ In this case, the adverb 'eac' is added, partially to reinforce the vocalic alliteration, and partially following Wulfstan's fondness for intensifying adverbs. The comparison between WÆLet 2 134 and 135 shows that the fact that *æfre* 'ever, always' is a (stressed) adverb allows *æ* to stay in WÆLet 2 134: 'and hit stod æfre þus on ðare ealdan æ'.⁷⁷ Yet, Wulfstan's fondness for variation, and the fact that *æfter* is only a preposition ally against *æ* in WÆLet 2 135: 'Nu is seo ealde lagu geendod æfter Cristes tocyme'.⁷⁸ *Æfre* in WÆLet 2 134 has in fact particular significance because it emphasizes that, according to the old law, 'bishops' *always* had to be descendants of Aaron, whereas the situation changed after Christ's coming into this world, not only because bishops and all other servants of God were no longer allowed to marry, but also because there were different criteria for their selection; it is a key term in the sentence and its significance is reflected by its prominence in the alliterative pattern.

When Wulfstan adds his own passages, as in WÆLet 2 200b, *lagu*, the only term belonging to his 'active repertoire', is used, together with its common companions *Godes* and *healdan* (see above, 3.1.3.1, and below, 3.2.5.2). The archbishop also feels free to replace 'on þissere nywan

74. 'Of the old law, before Christ's coming'.

75. 'For before Moses' law men were allowed to live variously'.

76. 'And under Moses' law mankind also lived in other way'.

77. 'And it stood ever thus in the old law'.

78. 'Now the old law is ended after Christ's coming'.

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gecyðnysse’ with ‘on ðissere cristenan lage’ in WÆLet 2 136.⁷⁹ This replacement is based on theological grounds, i.e. the change from the old law to the new one dictated by Christ, the synods and the canons, and on stylistic grounds because it links this paragraph with WÆLet 2 146, where the verb *lagian* is added to the substituted nominal phrase (see above, 3.1.2.2).

Wulfstan’s behaviour does not create what Benskin & Laing call *Mischsprache*. They explain that ‘[i]ts defining characteristic is the persistent co-occurrence of dialect forms whose regional distribution is such that their geographical overlap cannot reasonably be supposed’ (1981:76). The co-occurrence of *ǣ* and *lagu* is found in many late Old English and early Middle English texts. Fischer (1989:111) notes that, after the period of naturalization of the use of *lagu*, there came a period of coexistence of the two synonyms, with the final disappearance of the native term about 150 to 200 years later (see below, 8.2.1.1).

Wulfstan’s way of dealing with the prose section of the *Benedictine Office* is similar to his handling of the Ælfrician text. *Ǣ* appears in the following context: ‘on ðone timan man offrode on þære ealdan ǣ and mid recelsreocan on ðam temple þæt weofod georne weorðode Gode to lofe’ (LitBen 98.20–22).⁸⁰ The maintenance of *ǣ* can be attributed to various reasons working together in its favour:

- (1) The sound effect created by the alliteration between *eald* and *ǣ* would have been lost if *lagu* had replaced *ǣ*.
- (2) The phrase ‘ealdan lagu’ does not appear in the Wulfstanian corpus outside WÆLet 2. This favours the ‘constrained usage’ of the native word.

Table 4 summarizes the retention or replacement of *ǣ* with *lagu* in WÆLet 2 and the *Benedictine Office* according to the two main constraints, alliteration and variation.

79. ‘Under this new testament’, WÆLet 2 136; ‘under this new Christian law’, WÆLet 2 136.

80. ‘At that time people used to offer sacrifices according to the old law, and they earnestly honoured the altar at the temple with incense in praise to God’.

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	Replacement of <i>ǣ</i> with <i>lagu</i>	Maintenance of <i>ǣ</i>
<i>Alliteration</i>	WÆLet 2 10 (2x) (119?, 128?), 146	WÆLet 2 19, 34, LitBen 98.21
	Replacement of <i>ǣ</i> with <i>lagu</i> + maintenance of <i>ǣ</i>	
<i>Alliteration + variation</i>	WÆLet 2 8a, 19, 134–35	

Table 4. Replacement of *ǣ* with *lagu* in Wulfstan's revisions

The substitutions extend also to other members of the *ǣ(w)* word-field. The Ælfrician 'And hyra clænnysse healdan, swa oft swa hi offredon þa ælican onsægdnysse' (ÆLet 2 131) is transformed by Wulfstan into 'And heora clænnesse hi sculon þeah healdan, swa oft swa hi æfre offrodon þa laclican lac, þe ða gewunelice wæron' (WÆLet 2 131).⁸¹ The changes, like those involving other members of the *lagu* word-field, produce a clear sound effect, with the alliteration based on /l/ and /w/ being newly created. More importantly, the adjective 'ælican' ('legal') is replaced with the Norse-derived equivalent 'lahlican' by simply changing the nominal bases,⁸² and this triggers the substitution of 'lac' ('sacrifice') for its synonym 'onsægdnysse'. Thus, another 'type E' echoing effect arises.

Given that *lahlice* (see above, 3.1.2.1) and *lahlic* seem to be used in the Wulfstanian canon, at least partially, for the sake of style, one could almost think about them as nonce-words. This suggestion is supported by the fact that *lahlic* and *lahlice* are not Wulfstan's preferred words to refer to how things should be done 'properly, justly, lawfully', i.e. according to God's Commandments and the worldly laws. Rather, the adjective *riht*, the adverb *rihtlice* and the adverbial phrase *mid rihte* are used in most cases:

81. 'And [had to] preserve their chastity as often as they offered the sacrifice ordained by the law', ÆLet 2 131; 'and had to preserve their chastity, though, as often as they ever offered the sacrifices ordained by the law which were customary then', WÆLet 2 131.

82. <c> in 'laclican' can be attributed to a visual error of assimilation by the scribe.

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Se gehealt his cristendom **rihtlice** se ðe Criste **mid rihte** gehyrð
(WHom 8b 72–73 = WHom 8c 103–4)⁸³

Leofan men, doð swa eow mycel þearf is, understandað þæt ælc
cristen man ah micle þearfe þæt he his cristendomes gescead wite,
7 þæt he cunne **rihtne** geleafan **rihtlice** understandan (WHom 7
3–6).⁸⁴

And wite Cristenra manna gehwilc, þæt he his Drihtene his
teoþunge, a swa seo sulh þone teoðan æcer gega, **rihtlice** gelæste be
Godes miltse 7 be þam fullan wite, þe Eadgar cyningc gelagode
(LawVIIIAttr 7).⁸⁵

3.2.4 *LAGU* AND *BEBOD*

The noun *bebod* ‘commandment’, as opposed to the verb *bebodian* / *bebēodan* ‘to command’, is not a frequent word in the Anglo-Saxon legal codes. In LawWi 5 the singular form occurs together with ‘cyngæs’ (‘king’s’), ‘biscopes’ (‘bishop’s’) and ‘boca dom’ (‘decree of books’), whereas in LawIIAs 23.2 it appears in its common union with ‘Godes’ (‘God’s’) as well as with ‘ærcbiscopes’ (‘archbishop’s’). It is most commonly used in *OEC* in the plural referring to God’s Commandments (e.g. LawAfEl 49 or LawIVEg 1). This is the usage which predominates in Wulfstan’s canon: it only occurs once in the legal codes (LawIXAttr 2 = Nap 50 266.3–5), but it is fairly frequent outside them.

The deep integration of *lagu* in the religious sphere of legislation allows the two terms to function as basic synonyms:

(1) They appear in the same collocations: e.g. ‘þæt syn þa gesæligan þe God lufiað 7 his **bebodu** healdap’ (WHom 7 143–44) and ‘þa ðe swa gesælige þonne weorþað þæt hi Godes **lage** healdað on an swyðe georne 7 on rihtan

83. ‘Whoever listens properly to God holds rightly to his/her Christianity’.

84. ‘Beloved men, do as is most necessary for you, understand that each Christian man has great need to have discernment of his Christianity, and to be able to understand the proper belief rightly’.

85. ‘And every Christian man shall take care that he pays rightly to his Lord his tithes, always as the plough traverses every tenth acre, in danger of (forfeiting) God’s mercy and the full penalty which King Edgar instituted by law’.

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geleafan anrædlice þurhwunian willað' (WHom 5 81–84).⁸⁶ *Bebod* is also selected occasionally to contrast with *lār*: 'Eala, fela is swaþeah þæra þe hwonlice gymað and lythwon reccað embe boca **beboda** oððe bisceopa lara' (WPol 2.1.2 [Jost] 52 = WPol 2.1.1 [Jost] 69).⁸⁷

(2) Even though *bebod* is the term generally chosen when there is a specific reference to any of the Ten Commandments (e.g. WHom 8c 107–10), Wulfstan also explains that 'God sylf sette **lage** 7 Moyse bebed þæt he hy be ðære **lage** wisian scolde' (WHom 6 103–04; cp. WHom 10c 20–23 and 30–31).⁸⁸

(3) They are joined by coordination following Wulfstan's taste for the coordination of synonyms: 'Se gelyfð anrædlice 7 rihtlice on hine se ðe hine rihtlice lufað, 7 se hine lufað rihtlice ðe his **beboda** 7 his **laga** gehealdeð' (WHom 8c 23–25).⁸⁹

3.2.5 THE *LAGU* AND *RIHT* WORD-FIELDS

Dōm and *ā(w)* could not really hinder the semantic expansion of *lagu*, the former having generally ceased to be its opponent about a half a century before Wulfstan's works, and the latter being completely discarded from the original Wulfstanian canon as a reference to 'law'. Nor do *gerāðnes* and *bebod* pose great barriers to the spread of *lagu*. While the former appears mainly in keeping with the expectations on the wording of legal codes, the latter generally refers to a restricted group of religious laws. It is with *riht* and its word-field where the *lagu* word-field still has further semantic territory to take over (cp. Cummings 1971:229ff).

86. 'That [troop] is [made up of] the blessed ones, who love God and keep His Commandments', WHom 7 143–44; 'those who become blessed then that they hold to God's law continually very eagerly and want to steadfastly persevere in the correct belief', WHom 5 81–84.

87. 'Alas, there are nevertheless many of them who care little and pay scant attention to the precepts of books or the teachings of bishops'.

88. 'God Himself enacted the law and commanded Moses that he should guide them [Abraham's descendants] according to the law'.

89. 'Whoever loves Him properly believes resolutely and rightly in Him, and whoever holds to His Commandments and His laws loves Him properly'.

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The use of *riht* both as a simplex and as the determinatum of compounds with the meaning ‘law’ is well attested in pre-Wulfstanian legal language. Although *lagu* has replaced the native term in many of its previous contexts, the latter still retains numerous uses. In some contexts, however, it is very difficult to decide whether *riht* should be understood as ‘law’ or ‘justice’, but one has the feeling that Wulfstan was aware of its ambiguity, and exploited it.

3.2.5.1 THE *LAGU* WORD-FIELD HAS SUPERSEDED THE *RIHT* WORD-FIELD

A. *Woruldlagu*

The compound *woruldriht*, which is generally understood to mean ‘secular law’ (cp. Whitelock 1979:397), is not uncommon in Old English texts: e.g. ‘7 þær beo on ðære scire biscop 7 se ealdorman, 7 þær ægðer tæcan ge Godes riht ge **woruldriht**’ (LawIIIEg 5.2).⁹⁰ Given Wulfstan’s taste for *lagu*, it is not surprising that the compound seems to belong to his ‘passive’ rather than ‘active repertoire’. This is suggested by the fact that its appearance in the archbishop’s works can generally be attributed to ‘constrained usage’: LawIICn 18.1 follows the wording of LawIIIEg 5.2 verbatim, while LawCn 1020 9 lies in the part of *Cnut 1020* which preserves the original orders given by Cnut from Denmark (see above, 1.1.1.2). Only in Nap 51 274.19–20 (‘wylle we ærest, þæt godes riht forð ga and **woruldriht** syððan’) does Wulfstan use the compound in a context where no external model can be clearly identified,⁹¹ although some reliance on Edgar’s decree cannot be completely discarded.

Woruldlagu ‘secular law’, the term which Wulfstan chooses when he does not follow any model, is instead at the centre of his ‘active repertoire’. As is the case with *woruldriht*, most of its occurrences highlight the opposition between the divine and worldly realms:

90. ‘And the bishop and the ealdorman shall be present in the shire-meeting, and shall teach there both the ecclesiastical and secular law’.

91. ‘Firstly, we want that God’s law [/ justice?] should go forward and secular laws [/ justice?] after it’.

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Mearn to gemynde oft 7 gelome, þe **godcunde** lara 7 wislice **woroldlaga** Cristendom fyrðriað 7 cynedom micliað, folce gefremiað 7 weorðscypes wealdað, sibbiað 7 sehtað 7 sace twæmað 7 þeode þeawas ealle gebetað (LawXAttrProl 1).⁹²

And wise wæran woroldwitan, þe to **godcundan** rihtlagan **woroldlaga** settan (LawVIIIAttr 36; cp. LawGrið 24)⁹³

Ac stalige man and strangie and trymme hi georne mid wislicre **godes** lage and mid rihtlicre **woroldlage** (Nap 50 267.20–22)⁹⁴

The common presence of a premodifying adjective accompanying the compound reflects Wulfstan's concern with the existence of just laws.

Only in two contexts, which are extremely similar, is *woruldlagu* not explicitly contrasted with the religious sphere:

Open þyfðe and hlafordes searwu and abære morð æfter **woruldlagu** is botleas þing (Nap 51 274.23–24).⁹⁵

Husbryce 7 bænet 7 open þyfð 7 æbære morð 7 hlafordswice æfter **woruldlage** is botleas (LawIICn 64).⁹⁶

Even though Wulfstan's homiletic style does not appear to intrude here, its presence may be implied. In a purely legal context, one would expect *lagu* to appear either on its own or premodified by *riht*, which was Wulfstan's preferred adjective to collocate with the loanword (see below, 3.2.5.2). The

92. 'Frequently and often it has come to my mind that sacred teachings and wise secular decrees promote Christianity and strengthen royal authority, benefit the nation and bring about honour, pacify and reconcile, settle strife and improve all the customs of the nation'.

93. 'The secular councillors who added secular laws to the just ecclesiastical laws were wise'.

94. 'But let them be earnestly fixed and strengthened and made firm with the wise law of God and with the just secular law'.

95. 'Theft which cannot be disproved, and plotting against one's lord, and manifest murder cannot be compensated for according to the secular law'.

96. 'According to secular law, assaults upon houses, arson, theft and murder which cannot be denied, and treachery towards a man's lord cannot be atoned for'.

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appearance of *woruld* ‘world(ly)’, which in other contexts contrasts with *Godes* ‘God’s’ or *godcund* ‘divine’, might hint at the difference between earthly and divine issues: the crimes mentioned in these decrees cannot be compensated for (and hence cannot be forgiven) in the worldly sphere, but God’s justice works on a different scale.

B. *Folclagu*

Loyn defines *folcriht* as ‘a body of customary law common to the community’ (1984:42), and explains that, during the seventh and eighth centuries, it applied to all fields of law which later came to have carefully-drawn boundaries. Following the process of semantic expansion of *lagu*, the use of the native compound in the Wulfstanian canon is very restricted because, as with *woruldriht*, its occurrences can most likely be assigned to ‘constrained usage’. The wording of LawIII Eg 1.1 (‘*Þæt is þonne, þæt ic wille, ðæt ælc man sy folcrihtes wyrðe, ge earm ge eadig, 7 him man rihte domas deme*’) seems to have been the model for LawVI Atr 8 = LawCn 1018 3.1 = LawIICn 1.1:⁹⁷ ‘*7 heonan forð læte manna gehwylcne, ge earmne ge eadigne, folcrihtes wurðe beon*’.⁹⁸ The fact that the same collocation as in LawIII Eg 1.1, viz. ‘*ælc man sy folcrihtes wyrðe*’, also appears in LawIIEw 8 suggests that its formulaic character may have been more extensive than the extant records suggest. The compound also appears in LawMirce 3: ‘*Swa micel is þæs wergildes on folces folcriht be Myrcna laga*’.⁹⁹ Here Wulfstan is likely to have maintained the wording of the original text he reworked, while inserting the reference to ‘*Myrcna laga*’ (see above, 3.1.1.2).

In those contexts free from the influence of ‘constrained usage’, *folclagu* is used instead. Like *woruldlagu* and *rihtlagu* (on which see below, 3.2.5.2), it is inserted in contexts contrasting the divine and worldly realms:

(1) WHom 20.1 33–34 = WHom 20.2 39–41 = WHom 20.3 37–38 contrast

97. ‘That is, then, what I want, that every man, whether poor or rich, shall be entitled to the benefit of the common law, and just judgments are to be passed for him’.

98. ‘And henceforth all men, both rich and poor, shall be entitled to the benefit of the common law’.

99. ‘So great is [the amount of] the wergild in the common law according to the law of the Mercians’.

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Godes gerihta ‘God’s dues’ with *folclage*;¹⁰⁰

(2) WPol 2.1.2 [Jost] 14 = WPol 2.1.1 [Jost] 17 contrast *Godes lage* with *folclage*.

It is difficult to see a clear semantic difference between *folclagu* and *woruldlagu*, but one could suggest that the use of the former instead of the latter in *Sermo Lupi* was triggered by Wulfstan’s intention to involve the audience emotionally in his argument. This involvement is stronger when the laws referred to are those of the people themselves, the *leofan menn* whom he frequently addresses.

3.2.5.2 THE TWO WORD-FIELDS OVERLAP

A. *Lagu* and *riht*

The uses of *woruldlagu* and *folclagu* on the one hand and *woruldriht* and *folcrist* on the other exemplify the general tendency towards semantic restriction experienced by *riht* in the Wulfstanian canon. While *lagu* is the term most commonly used to refer to ‘law’, *riht* seems to mean mainly ‘justice’, which comprises both the religious and the worldly aspects. In these cases the native noun normally collocates with (1) *lufian* ‘to love’, (2) a verb meaning ‘to turn to’, ‘to turn into’ or ‘to bow down to’ (e.g. [*ge*] *būgan*, *hwyrfan*, *būgan*, [*ge*] *cyrran*), or (3) a verb meaning ‘to proclaim’ or ‘to promote’ (e.g. *bodian*, [*ā*] *rāeran*). It tends to be opposed to *unriht* ‘injustice’, and, especially as the direct object of *lufian*, is interchangeable with the noun *rihtwisnes*:

And þa hyt wæs on þeode for Gode 7 for worolde wislic 7 weorðlic,
þa man **riht lufode** 7 unriht ascunode (WHom 21 21–23; cp. WHom
11 227).¹⁰¹

And riht is eac, þæt [...] þa utlagan weorþan, þe **to Godes rihte**

100. On the phrase *Godes gerihta*, see further Stanley (2004:430–32).

101. ‘And it was wise and honourable in the nation in the sight of God and the world when people loved justice and avoided injustice’.

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gebugan nellan, buton hig **to rihte gecirran** (Nap 50 269.1–7).¹⁰²
Des cwyde mæg beon swyðe gemyndiglic eallum þam þe to þam
gesette syn, þæt hi Godes folce **riht bodian** sculon, 7 folc ah eac
myccele þearfe þæt hi wære beon þæs cwydes þe þæræfter gecweden
is (WHom 6 14–17).¹⁰³

In some contexts *riht* is presented as a superordinate of *lagu*: e.g. in WHom 13 3–6 Wulfstan seems to imply that God’s *riht* is a general concept which can only be understood through learning, the (keeping of the) laws and the resolute belief in God:¹⁰⁴

Leofan men, understandað þæt ærest cristenra manna gehwylc ah
ealra þinga mæste ðearfe þat he cunne Godes **riht** ongytan þurh lare
7 **lage** 7 gelyfan anrædlice on God ælmihtigne, þe is waldend 7
wyrhta ealra gesceafta.¹⁰⁵

However, *riht* can also act as a synonym of *lagu*.¹⁰⁶ This allows them to function in exactly the same collocation:¹⁰⁷

-
102. ‘And it is also appropriate that those who would not submit themselves to God’s justice shall become outlaws [/ excommunicated?], unless they turn back to justice’.
103. ‘This proposal has the power to be very hortatory to those who are prepared for it, that they should proclaim justice to God’s people, and people have great need to be aware of the proposal which is established thereafter’.
104. See further Evans (2002:7–10 and 31–41) on medieval views on the relationship between God’s justice, divine law and human law.
105. ‘Beloved men, understand firstly that each Christian man has the greatest need in all things that he should know how to understand God’s justice through teaching and the law, and believe resolutely in God almighty, who is the ruler and creator of all beings’.
106. On the polysemy of *riht* in the Wulfstanian corpus, see also Chapman’s (1995:98–99) analysis of *rihtcynn* in WHom 6 104–05.
107. This structure is also found in a handbook for the use of a confessor (Conf 4 [Fowler] 333.469–70). Even though Fowler (1965:9–10) does not consider the stylistic evidence to be weighty enough to attribute this work to Wulfstan, the fact that it is found in manuscripts associated with him, such as Cambridge,

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man **rihte laga upp arære 7 ælce unlaga georne afylle** (LawXAttr 2 = LawVAttr 1.1 = LawVIAttr 8 = LawCn 1018 3 = LawIICn 1)¹⁰⁸
we sculan iornlice **riht up aræran and unriht iorne afyllan** (Nap 51 274.18–19; cp. WPol 2.1.2 [Jost] 34 = WPol 2.1.1 [Jost] 40)¹⁰⁹

This convergence is somewhat puzzling in LawIICn 1, which joins both structures:

Ðæt is þonne ærest, þæt ic wylle, þæt man **rihte laga upp arære 7 æghwylc unlaga georne afylle, 7 þæt man aweodige & awyrtwalige æghwylc unriht, swa man geornost mæge, of þysum earde, 7 arære up Godes riht.**¹¹⁰

In this case *riht* seems to have its common meaning ‘justice’ rather than ‘law’, although Wulfstan may have intended the latter to underlie the context.¹¹¹ This decree has two parts. Both demand the promotion of *laga* / *riht* and the eradication of *unlaga* / *unriht*. It may actually be the case that, rather than being puzzling, this decree is clarifying, for it could simply be a recapitulation of the most common nominal structures in which *lagu* appears (i.e. *riht lagu* and *Godes lagu*), as shown in Table 5.

Corpus Christi College MS. 265 (hereafter Corpus 265), allows for the possibility that he either made some alterations to the original text, or took this structure from the handbook, and adapted it.

108. ‘Just laws shall be established and every misdeed shall be earnestly suppressed’.
109. ‘We should earnestly establish justice and earnestly suppress injustice’.
110. ‘The first thing I want, then, is that just laws shall be established, and every illegality shall be earnestly suppressed, and every injustice shall be weeded out and rooted out, as earnestly as possible, from this land, and God’s justice shall be established’.
111. Cp. Robertson’s (1925:175) translation of the decree, where *riht* and *lagu* are treated as synonymous: ‘The first provision is that I desire that justice be promoted and every injustice zealously suppressed, that every illegality be rooted up and eradicated from this land with the utmost diligence, and the law of God promoted’ (cp. Whitelock et al. 1981:486).

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Collocations	Number / percentage
<i>Godes lagu</i> ‘God’s law’ (or <i>lagu</i> together with a possessive pronoun referring anaphorically to God)	78
<i>Crīstes lagu</i> ‘Christ’s law’	3
<i>godcund lagu</i> ‘divine law’	3
<i>crīsten lagu</i> ‘Christian law’	1
<u>Total</u>	85 / 63.93%
On its own	18 / 14.75%
<i>riht lagu</i> ‘just law’	14 / 11.47%
<i>earglic lagu</i> ‘shameful law’	2 / 1.63%
<i>Eadgares lagu</i> ‘Edgar’s law’	1 / 0.81%
<i>cyninges lagu</i> ‘king’s law’	1 / 0.81%

Table 5. Nominal phrases with *lagu*¹¹²

If it is God who dictates what is *riht* and what is *unriht*, *riht lagu* can be equated with *Godes lagu* and therefore with *Godes riht* or simply *riht* / *rihtwisnes*. It is a circle in which God’s justice is the beginning and the end, just as in LawIICn 1. This decree contains two chiasmi, one inside the other, and this produces the powerful effect that God, through the laws or justice, is at the beginning and the end, alpha and omega.¹¹³

B. *Rihtlagu*

The close connection between *riht* and *lagu*, the importance of having just laws for the well-being of society, and the additional semantic effects derived from the adjectival and adverbial uses of *riht* and *rihtlice* contribute to making *riht lagu* the second most frequent collocation of the loanword in

112. The cases where *lagu* is premodified by a locative element, such as *Dena* or *Mircna*, have not been taken into account here (see above, 3.1.1.2).

113. See also Kennedy (1983:67–68) on Wulfstan’s use of the *lagu* and *riht* word-fields in the parallel structures with *upp (ā)rāeran* and *āfyllan*.

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a noun phrase (see Table 5). In a handful of cases *rihtlagu* is found instead.¹¹⁴ This compound appears in the following contexts:¹¹⁵

(1) preceded by *godcund* in WHom 20.1 100–01 = WHom 20.2 142 = WHom 20.3 144, LawHad 11;

(2) in a construction where the worldly and the divine realms are contrasted, and *rihtlagu* refers to either:

godcunde lare 7 woroldcunde **rihtlage** wyrðan 7 scyrdan (WHom 21 12–13)¹¹⁶

And wise wæran woroldwitan, þe to godcundan **rihtlagan** woroldlaga settan (LawVIIIATR 36; cp. LawGrið 24)¹¹⁷

(3) in a context where the phrase *riht lagu* could have been used instead (and where, in fact, it is not clear that the two elements should be interpreted as a compound):

114. Robertson (1925:127), Whitelock (1979:471) and Whitelock et al. (1981:399) prefer to interpret *riht* as a noun, and translate *rihtlagu* as ‘right law’ (i.e. law dealing with privileges) or simply ‘right, privilege’. Thorpe (1840:I, 335), however, translates the term in LawGrið 24 as ‘just laws’. This is the meaning adopted here because it fits all the contexts, but the possibility that the compound had different meanings according to the context cannot be fully discarded (cp. *lahriht*; see below).

115. The term *compound* is used in a loose sense, according to Bauer’s (1983:29) aforementioned definition (see above, 2.1). Nonetheless, not all scholars would agree on the applicability of this term to *rihtlagu*. Kruisinga defines a compound as a ‘combination of two words forming a unit which is not identical with the combined forms or meanings of its elements’ (1932:1581), as quoted by Marchand (1969:21). *Rihtlagu* would not pass this test. This, however, is not too much of a problem because, as noted by Carr (1939:xxiv), when an Old English compound is created by an adjective and a noun, the test of the isolation of meaning on which Kruisinga’s definition is based is not helpful to distinguish between a phrase and a compound. On the problems of semantic isolation involved in the identification of compounds, see also Sauer (1992:116ff).

116. ‘May violate and harm any religious teaching and any just secular law’.

117. ‘The secular councillors who added secular laws to the just ecclesiastical laws were wise’.

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Rihtlaga is, þæt man oðran gebeode, þæt he wylle, þæt man him beode (Nap 51 274.11–12)¹¹⁸

7 gif hine man æniges þingces teo, andswarie innan þam hundrede, þær he on beclýpod beo, swa hit **rihtlaga** sig (LawIICn 31a).¹¹⁹

Besides the opposition of the secular and religious spheres, Wulfstan's tendency towards repetition is also determinant in the use of the compound. He would not let his audience gather by themselves that the concept of *riht lagu* is comprised in *Godes lagu*. This is a feature which is emphasized time and again. The accumulation of premodifiers, as well as his fondness for *riht*-compounds, may have led Wulfstan to convert a phrase into a compound. As I have shown elsewhere (Pons-Sanz 2004a:292–93), Wulfstan tends to avoid the succession of two independent premodifying elements in front of a noun unless one of them is an indefinite, demonstrative or possessive pronoun / adjective or a numeral.¹²⁰ When a

118. 'It is a true law that one should treat others as he would like others to treat him'.

119. 'And if any accusation is brought against him, he shall answer it, in accordance with the just law, within the hundred where he is accused'. *Rihtlaga* is actually printed as two separate words by Robertson (1925:192). The same problem is found in a writ from the time of Edward the Confessor, viz. S 1124. Whereas Harmer (1989:347) prints the lexemes as two separate words, *OEC* interprets them as forming a compound. As explained by Kastovsky, 'spelling in OE was erratic in this respect as it is in present-day English' (1992:362). See also Sauer (1992:63), who notes that in Old English words in the same 'Akzentgruppe' were normally spelt together, whereas compounds, because of their union of a main and a secondary stress, tended to be written apart. Thus, spelling cannot be taken as a guide for identifying compounds. The facts that the terms appear in the nominative and that the strong form of the adjective is used invalidate the presence or absence of case endings in the adjective as a distinguishing factor. This may also be the case in *Nap 51* because the use of a verbal singular form may imply that the intended term was *rihtlaga*, not *rihtlagu*. See further Sauer (1992:163–64) on the problems involved in the identification of adj. + noun compounds. In any case, even if *rihtlaga* was intended to be a compound in S 1124, it would not be surprising because Wulfstan's stylistic influence was still alive at the time of the document (see below, 8.2.1.3).

120. E.g. 'Leofan men, we gelyfað þæt halig gelaðung sy **ealra cristenra manna to anum rihtan geleafan**' ('Beloved men, we believe that there is a holy congregation of all Christian men in one true belief') (WHom 7 88–89).

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nominal phrase has two premodifiers and neither of them is a pronoun / adjective of the aforementioned type, he normally links the two premodifiers forming a premodifying phrase.¹²¹ If Wulfstan had used a phrase instead of a compound when *rihtlagu* is premodified, the resulting construction would contain a premodifier + phrase,¹²² which is the preferred structure when one of the premodifiers is a pronoun / adjective.¹²³

It is difficult to find evidence in support of this hypothetical explanation for the transformation of the phrasal structure into a compound, however, because, except for *rihtlagu*, the compounds which are premodified by a determiner other than a pronoun / adjective or a numeral are not found in an equivalent phrase in the Wulfstanian corpus.¹²⁴

C. *Lahriht*

The neutralization of the differences between *lagu* and *riht* in some contexts of the Wulfstanian canon and the fact that *lahriht* is only found on three occasions in *OEC*, all in Wulfstan's texts, make the identification of the meaning of this compound somewhat problematic.

Robertson (1925:89), Whitelock (1979:446) and Whitelock et al. (1981: 360) translate the compound as 'law' when it occurs in LawVAtr 31:

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121. E.g. 'Doð dædbote eowra synna 7 eow sona wyrð **heofona rices duru** raðe untyned' ('Do penance for your sins and the door of the kingdom of heaven will at once be opened for you') (WHom 10c 116–17).
122. This is the structure in 'mid wislicre godes lage' ('with the wise law of God') (Nap 50 267.20–22 = WPol 2.1.1 [Jost] 38). However, the divine sphere is not put through word-formation processes to the same extent as the worldly realm (see Pons-Sanz 2004a).
123. This explanation offers further reasons for the use of *lahgewrit* instead of a phrasal structure (see above, 3.1.3.5).
124. E.g. *Woruldmann* 'human being; layman' appears in the phrase 'strece woruldmenn' ('stern human beings') in WHom 12 37, and it is also used without any premodification (e.g. LawEpisc 2). However, Wulfstan's canon does not record the phrase *woruldlíc mann*, which is found, for instance, in GD IV.i.261.20.

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gyf hwa forsteal oððon openne wyþercwyde ongean **lahriht** Cristes
oððe cyninges ahwar gewyrce, gylde swa wer swa wite swa lahslite,
aa be ðam þe seo dæd sy (cp. LawVIATR 38).¹²⁵

The context of this decree supports this translation because the preceding chapters of *V Æthelred* lay out the legislation regarding different crimes such as robberies, use of incorrect weights, desertion of the army, plotting against the king, etc. Thus, *lahriht* may belong to a subtype of determinative compounds called *tautological* or *pleonastic* compounds, which are especially common in Old English poetry.¹²⁶ In this case *riht* is not an adjective but a noun, and it is a synonym of *lagu*. The use of the compound therefore seems difficult to explain, for it neither adds any extra meaning to the simplex *lagu*, nor would the context, a legal code, be particularly conducive to such poetic creations in normal circumstances. However, since Wulfstan is involved, one may want to look for an explanation for its use. On the one hand, *riht* adds the idea of justice to the law, a connotation which is emphasized by the immediate presence of ‘Cristes’ (cp. *godcund rihtlagu*). On the other hand, the compound echoes *lahslit*.

Whitelock et al. (1981:419) attribute the same meaning to *lahriht* in what might be the earliest appearance of the word in the Wulfstanian corpus:

Ne sceall he gefafian ænig unriht ne woh gemet ne fals gewiht; ac
hit gebyrð, þæt be his ræde fare 7 be his gewitnesse æghwylc
lahriht, ge burhriht ge landriht (LawEpisc 6).¹²⁷

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125. ‘And if anyone commits *forsteal* or open resistance anywhere against the law of Christ and the king, he shall pay either wergild or fine or *lahslit*, always according to the deed’.
126. See Carr (1939:334–37), Lass (1994:196–97) and Chapman (2002b:415) on the use of tautological compounds in Old English literature. *Lahriht* could be compared to *æriht*, attested in EI 375 and 590, as well as, possibly, in CIGI 1 (Stryker) 3348, where it renders *L ius* ‘law’. The apparent compound could, however, be interpreted in the last case as a double gloss (cp. *DOE*, s.v. *-riht*, sense a.).
127. ‘He must not consent to any injustice, neither wrong measure nor false weight; but it is fitting that every legal right, both of borough and the country [‘every law, whether law of a borough or law of a country district’ in Whitelock et al. 1981:419], should go by his advice and his witness’.

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Likewise, Liebermann (1903–16:II, s.v. *lahriht*) translates this term as ‘Satzungsrecht’ ‘statutory law’, and explains that it is applied in a general way in Æthelred’s codes, and only in a secular way in *Episcopus*. Nonetheless, Bosworth & Toller (1898–1972:s.v. *lah-riht*) and Clark Hall (1960:s.v. *lahriht*) translate *lahriht* as ‘legal right’, a view shared by Hofmann (1955:§267) and Peters (1981b:92). Bosworth & Toller translate the last part of the *Episcopus* text as: ‘every legal right, both of town and country’. This interpretation places *lahriht* in the most common group of the determinative compounds, and makes it an exact equivalent to ON *lǫgréttr*. Not surprisingly, Hofmann (1955:§267), Peters (1981b:92) and Kastovsky (1992:333) believe that *lahriht* is modelled on this Norse term. The compounds which accompany *lahriht* in this context only partially support the attribution of the sense ‘legal right’ to *lahriht*. *Landriht* is translated by Bosworth & Toller as

I. The law of the land, the laws and privileges belonging to the inhabitant of a country or to the owner of land. [...] II. That which is due from land or states (1898–1972:s.v. *land-riht*)

whereas *burhriht* is only attributed the meaning ‘civil law’ (Bosworth & Toller 1898–1972:s.v. *burh-riht*) or ‘urban law’ (*DOE*, s.v. *burh-riht*). This meaning is suggested by the fact that both ‘burge riht’ and ‘burglage’ are chosen to gloss ‘ius ciuile’ (CIGl 1 [Stryker] 3443 and PrudGl 1 [Meritt] 14, respectively). Clark Hall translates *landriht* as “‘land right’, right to own or occupy land or connected with its occupation’ (1960:s.v. *landriht*), whereas the translation which he provides for *burhriht* is more general: ‘town right, town law’ (1960:s.v. *burhriht*). In this case the context does not help to determine which of the two meanings is more appropriate because there are only two brief references to weights before and after the sentence where *lahriht* occurs. What seems obvious is that the clear echoic effect created by the juxtaposition of the three compounds is the reason for the use of *lahriht* in LawEpisc 6.

Its stylistically determined use in *Episcopus* would have facilitated the appearance of *lahriht* in *V Æthelred* and *VI Æthelred*. In principle, there is nothing against assigning different meanings to the compound in these

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contexts, an assignation which would exemplify Wulfstan's ability to '(re)generate' words according to the lexical needs of particular contexts.

D. *Unlagu*

Just as *riht* and *lagu* coincide on some occasions when the intended meaning is 'law', the negative derivatives based on them can alternate to express the meaning 'breach of the law, crime, wrong'. In some cases *unlagu* can be understood as a reference to 'bad laws', according to the common use of the prefix *un-* in the Wulfstanian corpus to indicate 'bad', rather than 'not, opposing': e.g. *undæd* 'wicked deed, crime' (e.g. WHom 10c 61). This might be the case in WHom 20.1 41–42 = WHom 20.2 47–48 = WHom 20.3 46–47: 'cradolcild geðeowade þurh wælhreowe **unlage** for lytlere þeofðe'.¹²⁸ This suggestion is based on the fact that, as pointed out by Whitelock (1976:52, note to line 46), the criticism of child slavery as a sentence for theft is a clear reference to LawIne 7.1–2, LaswIIAs 1 and LawVIAs 1.1. Wulfstan makes his disgust for this practice clear in LawIICn 76.2–3, which legislates against a too rigid application of LawIne 7.1 (see below, 5.1).

However, Kennedy points out that in most cases *unlagu* refers to violations of laws or simply wrongs, rather than bad laws, and, therefore, 'should generally be taken as synonymous with *lahbryce*' (1983:69).¹²⁹ The clearest example of this meaning appears in LawIICn 60: 'Gif man æt **unlagum** man bewæpnige, forgilde hine be halsfange'.¹³⁰ In any case, it may be worth wondering with Kennedy 'whether Wulfstan would have recognized a distinction between "violation of law" and "bad laws", or, at least, whether such distinction was meaningful' (1983:69–70, note 66).

There is then not much difference between the use of *unlagu* in LawIICn 60 and *unriht* in WHom 20.1 6–9 = WHom 20.2 12–15 = WHom 20.3 11–14:

128. 'Through cruel bad laws [/injustice?] children in the cradle are enslaved for petty theft'.

129. See also Bethurum (1957:356, note 16) and Whitelock (1976:48, note 14).

130. 'If one man illegally disarms another, he shall compensate him by [paying the equivalent] to his *healsfang*'. Cp. <unlagagelde> in ChronE (Irvine) 1090.19, which Swanton (2000:225) translates as 'unjust taxation'.

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Understandað eac georne þæt deofol þas þeode nu fela geara
dwelode to swiðe, 7 þæt lytle getreowða wæron mid mannum, þeah
hi wel spræcan, 7 **unrihta** to fela rixode on lande.¹³¹

In this context *unriht* offers a clear advantage over *unlagu*: it alliterates with *ricsian* ‘to prevail, govern’, and echoes *drihten* ‘ruler, lord’. The latter, which Wulfstan favoured over *hælend* ‘Saviour’ to refer to God (see above, 1.2), commonly collocates with *ricsian* (cp. DurRitGl [Thomp-Lind] 86.20). Thus, Wulfstan’s audience is led to associate *unriht* with **undrihten*, i.e. the Devil.

Following Wulfstan’s taste for the coordination of synonyms, the two derivatives sometimes appear together: ‘ac dæghwamlice man ehte yfel æfter oðrum, 7 **unriht** rærde 7 **unlaga** manege ealles to wide geond ealle þas ðeode’ (WHom 20.1 10–12 = WHom 20.2 16–18 = WHom 20.3 15–17).¹³² Given that the relationship between *lagu* and *unlagu* is not one of direct negation, but rather one implying ‘breach of boundaries’, *unriht* is a clearer antonym of *riht* than *unlagu* is of *lagu*. This may be the reason for the fact that, unlike with the pair *riht* ~ *unriht* (e.g. WHom 11 177, LawCn 1020 9), there are no cases when Wulfstan encourages the change from *unlagu* towards *riht lagu* or condemns the opposite process. As shown in Table 6, except for two contexts, *unlagu* collocates with verbs meaning ‘promotion’ and ‘rejection’ or ‘extinction’: its development has to be followed by its extermination.

Unlagu is never a synonym of the typically Wulfstanian derivative *undōm*. The latter refers in all its occurrences to unjust judgements, as suggested by its collocation with *dēman*: e.g. ‘And se ðe unlage rære oððe **undom gedeme** heonon forð [...] beo se wið þone cingc CXX scyllinga scyldig on Engla lage’ (LawIICn 15.1).¹³³

131. ‘Understand also earnestly that the Devil has, for many years now, led this nation too far astray, and that there has been little loyalty among men although they spoke fairly, and too many wrongs have prevailed in the land’.

132. ‘But daily one evil was added to another, and many wrongs and unlawful acts were established all too widely throughout this whole nation’.

133. ‘And whoever henceforth promotes injustice or pronounces unjust judgement shall forfeit a hundred and twenty shillings to the king under English law’. On the relationship between *unlagu* and *undōm*, see also Kennedy (1983:69). *OEC* does not record **unbebod(u)* or **ungerædnes*.

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Neutral	
Subject of <i>bēon</i> ‘to be’	WHom 20.2 56
Subject of <i>standan</i> ‘to stand’	LawVAtr 32.4
Development	
DO of (<i>ā</i>) <i>rāeran</i> ‘to establish, promote’	WHom 20.1 11 = WHom 20.2 17 = WHom 20.3 16, WPol 2.1.2 (Jost) 33 = WPol 2.1.1 (Jost) 39, WPol 2.1.1 (Jost) 97, LawCn 1018 25 = LawIICn 15.1
Subject of <i>ārīsan</i> ‘to arise’	ChronD (Cubbin) 975.17
Rejection / extinction	
DO of <i>āfyllan</i> ‘to cause to fall, abolish’	LawXAtr 2 = LawVAtr 1.1 = LawVIAtr 8 = LawCn 1018 3 = LawIICn 1, LawVIAtr 40 = LawCn 1018 24 = LawIICn 11
DO of <i>ālecgan</i> ‘to suppress’	LawVAtr 33
Subject of <i>ālicgan</i> ‘to yield, perish’	LawVAtr 32
DO of <i>ascunian</i> ‘to shun, reject’	LawVAtr 24 = LawVIIaAtr 28.2
DO of <i>āweorpan</i> ‘to reject, destroy’	WPol 2.1.2 (Jost) 121 = WPol 2.1.1 (Jost) 227, LawXAtrProl 2

Table 6. Collocations of *verb* + *unlagu*

3.2.5.3 THELAGU WORD-FIELD OVERSTEPS SEMANTIC BOUNDARIES: ÐEGNLAGU

Kennedy explains that

outside works written in the Wulfstan style *riht*, when used in the plural or when the context contemplates the plural, means rights and obligations, not rules or the law in general (1983:68).

In this respect, the use of *ðegnriht* to refer to the privileges of a thegn, both during and after life, is particularly appropriate (cp. *eorlriht* ‘earl’s right’ and *ðrælriht* ‘slave’s right’; see below, 6.1.1.2 and 6.1.2.1):

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And gif ceorl geþeah, þæt he hæfde V hida fullice agenes landes [...] þonne wæs he þanon forð **þegenrihtes** wyrðe (LawGeþyncðo 2).¹³⁴

7 gif massere geþeah, þæt he ferde þrige ofer wid sæ be his agenum cræfte, se wæs þonne syððan **þegenrihtes** weorðe (LawGeþyncðo 6).¹³⁵

7 se ðe þæs geswican wille 7 clænnesse healdan, hæbbe he Godes miltse, 7 þærtocan to woroldweorðscype, þæt he sy þegenweres 7 **þegenrihtes** wyrðe, ge on life ge on legere (LawVATR 9.1 = LawVIATR 5.3).¹³⁶

The overlap between *lagu* and *riht* when meaning ‘law’ and the fact that the former is rapidly taking over realms previously enjoyed by the latter may have contributed to the occasional use of *lagu* in contexts where a semantic area not generally expressed by *lagu* is being referred to:

And la, oft hit getimað, þæt þeowætlingc geearnað freotes æt ceorle, and ceorl wyrð þurh eorlgife **þegenlage** wyrðe, and þegn wurð þurh cynincges gife eorldomes wyrðe (WPol 6.2 [Jost] 135).¹³⁷

7 se ðe þæs geswican wille 7 clænnesse healdan, hæbbe he Godes miltse 7 to woruldwurðscipe si he **þegenlaga** wyrðe (LawCn 1018 11.2 = LawICn 6.2a = Nap 50 270.31–32)¹³⁸

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134. ‘And if a freeman of the lowest class prospered so that he owned fully five hides of land of his own, then he was henceforth entitled to a thegn’s rights’.
135. ‘And if a trader prospered so that he travelled three times over the open sea at his own expense, he was then afterwards entitled to a thegn’s rights’. See below, 6.1.1.2, on the attribution of this decree to Wulfstan.
136. ‘And whoever is willing to abandon this and preserve chastity shall have God’s mercy and, in addition as a secular dignity, that he shall be entitled to a thegn’s wergild and a thegn’s rights, in life as well as in the grave’.
137. ‘And lo, it often happens that a slave earns his freedom from a freeman of the lowest class, and a freeman of the lowest class becomes entitled to the rights of a thegn through an earl’s gift, and a thegn becomes entitled of the status of an earl through a king’s gift’. On this context, see also below, 6.1.1.2.
138. ‘And whoever is willing to abandon this and preserve chastity shall have God’s mercy and, in addition as a secular dignity, he shall be entitled to a thegn’s rights’.

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This replacement alters the normal collocation *weorð* / *wyrð* ‘worth’ + *riht*.¹³⁹

One could suggest that there is some evolution in the vocabulary of the archbishop. This hypothesis can be sustained if the chronological order presented above in Table 1 is slightly modified according to the ambiguity of the dating of *Grið* and *Gepyncðo*. As explained above, 1.1.2, the only reference regarding the date of *Be sacerdan* (= *WPol* 6.2 [*Jost*]) is that it seems to have been composed before *Grið*, which, in its turn, can be widely dated between the *Peace of Edward and Guthrum* and *VIII Æthelred*. If the compilation of *Gepyncðo*, which appears to be later than the *Peace of Edward and Guthrum* is attributed to a similar period as *Mircna laga*, *Að* and *Hadbot*, then the order of composition could have been as follows: *Gepyncðo*, *V Æthelred*, *Be sacerdan* and the codes associated with *Cnut*. *ðegnriht* would then be preferred in the two earlier works (and in *VI Æthelred*, which relies on *V Æthelred*), whereas *ðegnlagu* would be preferred in later texts. Nonetheless, there is not enough evidence to push this argument on changing lexical preferences any further than mere speculation.

3.3 ETYMOLOGY OF THE COMPLEXES IN THE *LAGU* WORD-FIELD

Determining the etymology of compounds like *mæglagu*, *regollagu*, *lahwita*, *lahgewrit*, *rihtlagu*, *woruldlagu*, *griðlagu* or *folclagu* does not entail much difficulty. The combination of the following facts makes their attribution to Wulfstan’s creativity very likely:

- (1) most of them appear in contexts where it is clear that Wulfstan put word-formation processes (among other stylistic devices) to work so as to produce a striking effect;
- (2) while some of them are *hapax legomena* (*lahwita*, *lahgewrit*, *griðlagu*), others are recorded only in Wulfstan’s texts or in texts where his influence

139. Outside the Wulfstanian canon, the association of *weorð* / *wyrð* with *lagu* is only found in *LawRect* 6.4 and three texts from the time of William the Conqueror (Bates 1998:nos. 180, 189 and 339).

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is commonly admitted (*mæglagu*, *regollagu*, *rihtlagu*, *woruldlagu*, *folclagu*);¹⁴⁰

(3) these terms do not have an equivalent in Old Norse,¹⁴¹ whereas Wulfstan had at hand native words which would have provided him with a ‘type structure’ which he could exploit.

There are some terms which, albeit sharing some of these features, cannot be as easily classified together with the aforementioned compounds, mainly because there is an equivalent Old Norse word. Such is the case of *lahbryce*. Hofmann (1955:§267), Peters (1981a:179 and 1981b:92) and Kastovsky (1992:333), among others, consider this compound, which is only recorded in the Wulfstanian corpus, and *lahbreca* ‘lawbreaker’, which renders L *sacrilegus* ‘someone who violates or profanes sacred things’ in LibSc 2.9.10, to be loanblends based on ON *lqgbrot* ‘breach of law’, where the determinatum has been replaced by a native term. However, the possibility that these terms were newly created cannot be discarded. *Lahbryce* belongs to the same type as *æwbryce* ‘adultery’ and *hādbryce* ‘injury of one in holy orders’, which (like *hādbreca* ‘injurer of one in holy orders’) is recorded only in Wulfstan’s works or those texts clearly influenced by them (e.g. Nap 57 298.15). *Lahbryce* simply happens to have the loanword as its determinant (cp. Chapman 1998:20). Marchand (1969:18) explains that synthetic compounds, i.e. compounds formed with a deverbal determinatum and a determinant which is an argument of the transposed verb, are extremely productive because of their semantic transparency. *Frēolsbryce* ‘breach of festival’, *wedbryce* ‘treachery’, *fæstenbryce* ‘breach of fast’ or *grīðbryce* (on which see below, 4.1.1.2) are additional signs of Wulfstan’s reliance on this prolific type (see below, 4.2).

There are no strong reasons either why *lahriht* or *ðegnlagu* should be analysed as loanblends based on ON *lqgrétr* and *þegnloq* ‘rights and obligations of a thegn’, respectively, at least as far as their use in the

140. See below, 8.1.1, on the textual presence of the compounds and complexes used by the archbishop outside his canon.

141. The statement that a word has ‘no equivalent in Old Norse’ indicates that no equivalent term has been found in the following dictionaries: Söderwall et al. (1884–1973), Zöega (1910), Cleasby & Vigfusson (1957) and Fritzner (1886–1972). *ONP* has also been consulted, both the printed volumes and the unpublished records kept at the Arnamagnæan Institute in Copenhagen.

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Wulfstanian corpus is concerned.¹⁴² It is when dealing with these terms that the reader should remember Chapman's (1995:156) conclusion about Wulfstan's ability to '(re)generate' words (see above, 2.3.4).

Similarly, as far as the derivatives are concerned, the analysis of the contexts containing *lahlic* and *lahlice* suggests that they might be Wulfstan's new-formations, despite the fact that ON *lqgligr* 'lawful' and *lqgliga* 'lawfully' are well-attested. Most probably *unlagu* should also be understood in this way, and not as a loanblend modelled on ON *úlqg*, as Hofmann (1955:§267), Peters (1981b:91) and Wollmann (1996:231), among others, would like to see it (see also above, 2.3.2).¹⁴³ The suggestion of an English origin for this term is based on three main reasons:

(1) As noticed by von See (1964:186), *úlqg* in Old East Norse referred to the breaking of the rules of the legal process, and was opposed to *úrætt*, which indicated a breach against the sense of justice.¹⁴⁴ In Old West Norse, however, it did not have that specialized meaning, but simply meant 'illegality, injustice, breach of the law, crime'.¹⁴⁵ Even though the meaning

142. Despite suggesting the possible Norse origin of *lahriht*, Carr (1939:30) accepts that, like *lahmann* 'lawman', *lahlic* and *landlagu* 'local law', it might be an independent new-formation in Old English. For independent compounds shared by Old English and Old Norse, see further Magoun (1929), Carr (1939:80–82) and Niles (1981:496). *Ǣgnlagu* is not mentioned by Steenstrup (1882), Björkman (1900–02), Serjeantson (1935), Carr (1939), Hofmann (1955) or Peters (1981a and 1981b).

143. Townend (2002:96, note 12) points out that the denasalization of the ON prefix *un-* appears to have occurred after 1000. If this is associated with the fact that *u-*umlaut in ON *lqg may* not have taken place yet when the word was transferred into English (but see above, 2.3.4), one could hypothesize a VAN form **unlagu*, the similarity of which with the Wulfstanian word is, admittedly, undeniable.

144. E.g. ÖgL R 11.1 explains that, when a person has to support his argument with other people's oaths, the number of oath-givers cannot be lower than that determined. Otherwise, his case is not valid. However, 'nu æn ganger mera æn laghfult ok suær mæþ flerum æt han ate þa a hans eþær egh ganga æter firi ulagh' ('if he goes further than necessary to fulfil the legal requirements, and swears with more [oath-givers] than he had to, then his oaths will not be discarded for not being legally valid').

145. E.g. Frost. I.6 records the following statement: 'At lögum scal land várt byggia en eigi at úlögum eyða' ('Our land shall be built up by law, and it shall not be

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which *úlqg* had in Old West Norse is fairly close to that of *unlagu* in the Wulfstanian corpus on some occasions, there is not a full equivalence between the two. The importance of this objection, however, may be minimized by the problems involved in dealing with semantic differences between Old English and Old Norse terms identified above, 2.3.2.

(2) Like the terms previously discussed, *unlagu* appears first in Wulfstan's works and, afterwards, as far as the Old English period is concerned, only in a few eleventh-century texts (see below, 8.1.1).

(3) Wulfstan's vocabulary includes a very large number of complexes formed by a simplex and the prefix *un-* (see above, 1.2). Thus, this word could have been '(re)generated' so as to mirror the pairs *riht ~ unriht* through *lagu ~ unlagu* (e.g. in the aforementioned structure with the verbs [*upp*] [*ā*]*ræran* and *āfyllan*; see above, 3.2.5.2) and, together with the purely Wulfstanian *unlār* 'bad teaching', *lār ~ lagu*:

Ðæt is ðonne ærest, þæt þæt man behateþ, þonne man fulluhtes
gyrnð, þæt man a wile deofol ascunian and his **unlare** georne
forbugan and ealle his **unlaga** symble awyrpan and ecelice
wiðsacan ealles his gemanan. (WPol 2.1.2 [Jost] 121 = WPol 2.1.1
[Jost] 227)¹⁴⁶

The same conclusion may not be acceptable as far as *lahslit* is concerned. Even though it is only recorded in the Wulfstanian canon and in the *Northumbrian Priests' Law*, the indirect connection of which with the archbishop has already been commented on (see above, 1.1.1.2), the Norse origin of the term might be suggested by the existence of OSw. *laghslit*, with which Steenstrup (1882:264–65) and Peters (1981b:90) associate it. In Steenstrup's words, the analysis of the Old Swedish codes where this word is found suggests that *laghslit*

laid waste by illegality'). Old East Norse texts have no similar contrast between *lqg* and *úlqg*.

146. 'That is first, then, that one promises when one desires baptism that one is ever willing to shun the Devil, and earnestly avoid his evil teaching, and continually cast aside all his unrighteousness and eternally oppose all his company'.

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in general is not a direct breach of the law, but obstinacy, a failure to comply with an obligation, especially one exceptionally incurred, according to which Schlyter also defines it as: negligence or contumacy in fulfilling an obligation determined in the law.¹⁴⁷

Schlyter's words quoted by Steenstrup can be found in the glossary which the former included in the last volume of *SGL* (s.v. *laghslit*). However, immediately after the words quoted by Steenstrup, Schlyter explains that this term can also refer to the 'böter för' ('fines in compensation for') one's contumacy in complying with something legally established. This renders the recorded meaning of OSw. *laghslit* closer to its use in the Wulfstanian corpus. Similarly, in the glossary which accompanies the edition of the Law of Södermanland in vol. 4 of *SGL*, *laghslit* is defined both as 'försummelse at erbjuda läkare åt en sårad' ('negligence to offer a doctor to an injured person'),¹⁴⁸ and 'böter för sådan försummelse' ('fines for such negligence').¹⁴⁹ Thus, it seems that in Old Swedish this compound could be used as an endocentric and an exocentric compound.¹⁵⁰

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147. '... i Almindelighed ikke er et direkte Brud paa Loven, men en Vrangvillie, en Forsømmelse ved at efterkomme en Forpligtelse, navnlig en særlig paadrægt, hvorfor Schlyter ogsaa definerer det som: försummelse eller tredska att uppfylla en i lagen ålagd skyldighet' (1882:265).
148. E.g. 'Æghande scal firi fæ sit uarða. Han a þem læker fa scaða fik. Biudhir æi hanum læker bôte siex øra firi laghslitit' ('the owner shall answer for his animals. He must get a doctor for that one who got the injury. If he does not offer him a doctor, he shall compensate for the negligence with six ora') (SdmL M 1.2). In HgL Ku. 6.1 it refers to the contumacy in complying with one's obligation, when called as a member of the jury (*næmd*), to either condemn or absolve someone.
149. E.g. 'Huar sum æi biuðer sua lagha læker ok lagha bøter með uæri saker at niu marchum til thræskiptis. Thæssi boot heter laghslit' ('whoever does not offer in this way a legal doctor [SdmL M 11 explains that a *lagha lækir* is a doctor who has cured wounds by a knife or a similar weapon, broken bones, wounds in the breast or the stomach, mutilations, etc.] and the legal compensations shall be liable to pay nine marks to be divided in three parts. This fine is called *laghslit*') (SdmL M 11). Cp. UL M 21, 22, 23.4 and 27.
150. Bauer explains the distinction between endocentric and exocentric compounds: 'An endocentric compound is one in which the whole compound is a hyponym of the head element, where the head is the syntactically obligatory lexical

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That the word had a slightly different meaning to that which is attested in English sources could be used as evidence in favour of coinage in Anglo-Scandinavian England based on the **ǣslit*-type (see above, 3.1.1.1). However, even if one argues in favour of this possibility after having taken into account the caveats applicable when dealing with semantic differences between Old English and Old Norse terms, one should not attribute it to Wulfstan's own '(re)generative' ability. In contrast to his other *lagu*-compounds, *lahslit* is not endocentric but exocentric, i.e. it is a hyponym of 'fine', not 'breach'. It has gone from being 'type familiar' to being 'item familiar', i.e. it is not only the construction that is recognized, but also the particular lexeme it represents because the term has become institutionalized (see above, 2.3.3). Libben points out that 'newly coined multimorphemic forms are always transparent' (1998:32), and *lahslit* is not.¹⁵¹ The consistency with which this term is used as an exocentric compound implies that it is deeply rooted in Wulfstan's and (presumably) his audience's vocabulary. Notably, the author of the *Quadripartitus*, a southern twelfth-century collection included by Liebermann (1903–16) in his edition of the Anglo-Saxon laws, always leaves this word untranslated. Whereas *wīte* is adapted into Latin as *wita*, with the form 'witam' for the accusative singular (e.g. in the translation of LawEGu 2 and 3.2), *lahslit* is never similarly adapted. This suggests that this word was still unfamiliar to the *Quadripartitus* writer, but it is difficult to determine whether his lack of familiarity is reduced to a personal level or is more generalized; and whether it is due to the fact that the word is a loanblend or an English new-formation of a very reduced life, both diatopically and diachronically. Given the extant evidence, one can only conclude that Wulfstan is not likely to have coined this compound, and that it is not possible to establish whether it is a loanblend based on the Old Swedish term or an Anglo-Scandinavian new-formation.

category [...] An exocentric compound, on the other hand, is one where the compound as a whole is not a hyponym of the head' (1978:13). Rather, as Lass points out, 'the compound itself is interpretable only as predicated of some "third party"' (1994:197).

151. See Brekle (1978:74) for a description of the mental process followed when creating nominal compounds.

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The contexts where *ūtlah* / *ūtlaga* and *lagian* appear indicate that Wulfstan treated them mostly as ‘item familiar’ rather than merely as ‘type familiar’. Hence, the case for Wulfstan’s creativity being behind their use in his texts is not stronger than the belief of most modern scholars that:

(1) *Ūtlah* derives from ON *útlagr* (see, for instance, Björkman 1900–02:224; Hofmann 1955:§209; Peters 1981b:91; and Wollmann 1996:231).

(2) *Ūtlaga* either derives from ON *útlagi* ‘outlaw’ (see Björkman 1900–02:224), or is an English new-formation based on *ūtlah* (see Peters 1981a:179 and 1981b:93; and Kastovsky 1992:334).

(3) The phrase *ūtlages weorc* ‘outlaw’s deed’, only recorded once in *OEC* (viz. LawIICn 13), could be interpreted as a loanblend modelled on ON *útlagaverk* ‘outlaw’s deed’.¹⁵² Alternatively, it could be interpreted as another example of the native type represented by the common phrase in religious texts *dēofles weorc* ‘devil’s deed’ (e.g. *ÆHomM* 2 [Irv 3] 141). Instead of ‘utlages’ one would have expected ‘utlagan’, *ūtlaga* being declined as a weak noun (cp. LawWILad 3.1). However, the genitive ending *-es* is perhaps chosen instead so as to create a homoiopoton with the nearby phrase ‘*þæs friðes*’ (on which see below, 4.1.1.1).¹⁵³ The selection of that ending instead of *-an*, closer from a phonetic point of view to the Old Norse form, seems to support the native origin of the phrase because the belief that Wulfstan (or his contemporaries) may have interpreted *-a* in *útlagaverk* (or *-ar* in *útleǵðarverk* ‘deed punished with outlawry’) as a genitive ending, and made the corresponding suffix replacement would require taking the idea of

152. The identification of *ūtlages weorc* as a phrase rather than as a compound follows Sauer’s (1992:159) decision to accept as compounds in Old English and in early Middle English the constructions of the type noun + s/noun which belong almost exclusively to the following groups: place-names, plant-names, names of weekdays and compounds with *-mann* as the determinatum.

153. Dance (2003:159–60) points out that in the early Middle English period the Norse-derived nouns in south-west midland texts follow the general trends kept by the native nouns in the formation of the plural: the nouns with a stem ending in a consonant in Old Norse and in their English reflex form the plural in *-es*, whereas those with a stem ending in a vowel form the plural in *-en*. However, he also notices that the allomorph *-es* sometimes appears with nouns which, despite having a stem ending in a vowel, refer to a person or a social role.

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general mutual understanding between Old English and Old Norse speakers too far (cp. Townend 2002:199).

(4) *Lagian* is an English new-formation based on *lagu* (see Hofmann 1955:§268; and Peters 1981a:179 and 1981b:93).

‘Item familiarity’ and ‘type familiarity’ need not be exclusive terms (see Meys 1975:75). Hence, the transparency of the complexes *ūtlah* / *ūtlaga* and their association with the verb *lagian* (as well as the new-formation *ūtlagian* ‘to outlaw’, which is not recorded in Wulfstan’s works) would have been sufficient to enable Wulfstan to (re)coin *inlagian* as a nonce-word in his corpus (cp. Hofmann 1955:§268).

Table 7 summarizes the etymology of the *lagu*-complexes as suggested by their use in Wulfstan’s texts.

Terms ‘(re)generated’ by Wulfstan	New-formations not clearly attributable to Wulfstan	Loanwords and loanblends
Derivatives: <i>inlagian, lahlic, lahlice, unlagu</i> Compounds: <i>folclagu, griðlagu, lahbryce, lahriht, lahwita, lahgewrit, mæglagu, regollagu, rihtlagu, ðegnlagu, woruldlagu</i> Phrases: <i>ūtlages weorc</i>	Derivatives: <i>lagian, ūtlaga?</i> Compounds: <i>lahslit?</i>	Derivatives: <i>ūtlaga?, ūtlah</i> Compounds: <i>lahslit?</i>

Table 7. Etymological interpretation of the lagu-complexes in Wulfstan’s texts

The compounding process based on *lagu* in Wulfstan’s lexicon could, to a certain extent, be interpreted as a continuation of a long tradition in Old Norse (e.g. Cleasby & Vigfusson 1957 present more than one hundred and twenty compounds with *lag-* or *lqg-* as the determinant). However, obviously, this is by no means the only factor at work.

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3.4 CONCLUSION

The *lagu* word-field is deeply integrated in Wulfstan's 'active repertoire'. The simplex has already reached the third phase in the process of accommodation of a loanword as described by Hope (1971) (see above, 2.3.2):

(1) It is fully integrated in the network of semantic relations between the members of the lexical field representing the semantic field of 'law':

(1.a) From a legal perspective, it is clearly preferred to *gerāðnes* and *dōm* to indicate specific laws or decrees, and it is also more common than *riht* when referring to a specific set of laws, whether they are customary laws (*folc[lagu/riht]*) or secular laws (*woruld[lagu/riht]*). The derivative *unlagu* is commonly used instead of *unriht* when the concept implied is 'wrong, crime, breach of the law'. The integration of *lagu* has gone even further: the loanword has invaded the semantic space of *riht* when referring to the rights associated with a specific position (*ðegn[lagu/riht]*). Thus, the blurred boundaries between *lagu* and *riht* make the interpretation of *lahriht* (and *rihtlagu*) particularly problematic.

(1.b) From a religious perspective, *lagu* has completely taken over from *ǣ(w)*, and can be equated with the native *bebod* when referring to the Ten Commandments.

(2) *Lagu* is the most productive Norse-derived term in the Wulfstanian corpus. Wulfstan's familiarity with this term allows him to exploit it, and to create stylistically determined *hapax legomena*, as well as compounds which are recurrent in his works. The deep semantic integration of the simplex must have been fundamental for that of the complexes. The case of *ūtlah* / *ūtlaga* is particularly interesting because, though their introduction in the language cannot be attributed to Wulfstan, his usage of the simplex allows for their equation with *āmānsumad*. These complexes should be contrasted with *lahlice* and *lagian*, which are generally used with a secular meaning, and only under the influence of stylistic factors do they refer to the religious sphere.

CHAPTER 4

WULFSTAN'S NORSE-DERIVED LEGAL VOCABULARY II: THE *GR/Ð* WORD-FIELD

4.1 THE INTEGRATION OF THE *GR/Ð* WORD-FIELD IN THE PRE-EXISTING LEXICAL FIELD

In her presidential address delivered to the Viking Society for Northern Research in 1982, Fell, who was mainly interested in the meaning of *unfrið* in Ohthere's account of his voyages to King Alfred, explained that it is not possible to analyse the meaning of *frið* without taking into account that of rhyming *grið*. Similarly, McKinney points out that

[l]ike *frið*, *grið* has the two main senses PEACE and PROTECTION; this word-field overlaps that of *mund* where *grið* means protection and it overlaps *frið* in both senses. Since peace and protection are closely related legal concepts, *mund*, *frið* and *grið* have closely related and overlapping word-fields (1994:86).

Because of spatial limitations, this chapter does not attempt to study the relationship which the members of the *grið* word-field establish with all the terms meaning 'peace' and 'protection' mentioned by *TOE* under 11.10.01 ('protection, safekeeping'), 13.01.01.01 ('cessation of hostilities'), 14 ('law') and 14.03.03.07 ('security, pledge, bail'). Instead, it focuses on the four word-fields studied by McKinney (1994), viz. those based on *grið*, *frið*, *mund* and *borg*. This chapter complements McKinney's work because, even though the Wulfstanian canon is part of his corpus, he does not study it thoroughly. As explained in the introduction, McKinney leaves Wulfstan's use of the *grið* word-field aside very soon because of its predominantly non-metaphoric character.

4. THE *GRÍÐ* WORD-FIELD

4.1.1 THE *GRÍÐ* AND *FRIÐ* WORD-FIELDS

Fell (1985) devotes the first part of her address to arguing against the oft-repeated distinction between the general sense of *frið* and the more restricted meaning of *gríð*, as expressed for the first time by Thorpe in his definition of *gríð*:

peace, protection, particularly that granted by the king or other high official to those requiring it [...] [I]t differs from ‘*frið*’, the latter signifying the general peace and security of the state, also that existing between one state and another (1840:II, s.v. *gríð*).¹

This distinction is in keeping with the different meanings which *friðr* and *gríð* had in Old Norse. *Friðr* commonly referred to the individual’s right to protection and peace, as exemplified in the expression *fyrirgøra fé ok friði* ‘to forsake all rights to property and peace’ (e.g. Gul. 32 and Frost. V.45). This personal peace was integrated in a more general sphere, according to which *friðr* was enjoyed by the whole society, as in the phrase *til árs ok friðar* (e.g. Frost. II.32), where fertility (*ár*) is associated with peace (*friðr*). Larson (1935:416) and von See (1964:166) explain that *gríð*, on the other hand, referred in the singular to the peace and security that one finds and enjoys in a home (a sense which is not found in England); and in the plural (1) to a limited period of peace and security granted to a law-breaker to enable him to put his affairs in order (e.g. Gul. 32 and ESjL II.10), or (2) to the peace and security that was enforced at certain times and in certain places, such as the *þing* ‘assembly’ (e.g. MLL I.5) or the way to and from the *þing* (e.g. Frost. I.5 and IV.30). Fell hypothesizes that this distinction may derive from the different etymologies of these words:² whereas *friðr* and its Old English cognate belong to a group of words dealing with abstract

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1. See Fell (1985:85) for a summary of the differences which have traditionally been attributed to these words.
 2. For a detailed study of the etymology of these two terms, see Green (1998:42–43), von See (1964:142–53 and 166–72) and above, 2.3.4.1.

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concepts such as ‘peace’, ‘friendship’ and ‘love’,³ ON *grīð* ‘links etymologically with a humdrum range of words dealing with household subsistence’ (1985:86). Thus, the difference between *frið* and *grīð* may be due to *grīð* having developed the meaning ‘peace’ from the meaning ‘protected member of a household’ or ‘protection afforded by being a member of a household’.

However, Fell argues that *grīð* would have arrived in England ‘without etymological support, as one of the words the Vikings used in their interminable discussions of truces and treaties’ (1985:88). Therefore, in her opinion, it was not difficult for it ‘to pervade the language, and to take the full range of meanings formerly associated with *frið*’ (1985:90). Thus, by the time *grīð* is recorded in Middle English, Fell notices, it has taken over all the meanings associated with *frið*: ‘It is God’s peace, the king’s peace, national peace, peace in general, peace on earth’ (1985:91).

Fell (1985:87) points out that, in Old English texts, the earliest occurrences of *grīð* can be found in *The Battle of Maldon*, the *Anglo-Saxon Chronicle* and Wulfstan’s texts. She accepts Robinson’s attribution of the use of *grīð* in *Maldon* to ‘the first literary use of dialect in English’ (1993:123), according to which the presence of *grīð* as a full synonym of *frið* aims at characterizing the Viking messenger as a foreigner. She also expresses her inability ‘to see any way in which *grīð* is clearly distinguished or distinguishable from *frið*’ in the *Anglo-Saxon Chronicle* (1985:87). Accordingly, she concludes that

[i]t is clear that in general English usage from the time *grīð* enters the language, *grīð* and *frið* operate as interchangeable synonyms, or to put it in another way, if *grīð* did enter the language with a more precisely determinable semantic range than *frið*, that precision was very rapidly eroded (1985:91).

The key to understanding Fell’s comment may lie in the adjective ‘general’ premodifying ‘English usage’ because different conclusions can be reached when Wulfstan’s texts, as well other legal codes, receive due attention.

3. Cp. the purely Wulfstanian ‘friðlice steora’ (LawVAtr 3.1 = LawVIAtr 10.1, LawIICn 2.1), which Robertson (1925:81, 95 and 177) translates as ‘merciful punishments’.

4. THE *GRID* WORD-FIELD

There is only one context in the Wulfstanian canon where Fell's description of the 'general English usage' is applicable. WHom 19 49–51 is the only passage in the corpus where *grid* and *frið* occur together, and where no semantic difference between them can be pointed out: 'And ic welan 7 wista gife eow genoge, 7 ge orsorge wuniaþ on lande on **grid**e 7 on **frið**e under minre munde'.⁴ So as to understand Wulfstan's uncharacteristic lexical selection one should bear in mind that this text has no close connection with the legal sphere of Wulfstan's own time, unlike those comments on the protection of widows or God's servants, the protection granted by churches, etc. (see below in this chapter), which can be implemented through corresponding decrees.⁵ In this context, more important than lexical precision is the fact that, through the commoratio based on the use of the three main words with which Old English speakers expressed 'peace' and 'protection' (viz. *grid*, *frið* and *mund*), Wulfstan can present God, symbolically, as the main source for the enjoyment of these privileges on earth.⁶

The other occurrences of the *grid* word-field in Wulfstan's works can clearly be assigned to the period after 1002, when he combined the roles of homilist and statesman. His lexical choices bear witness to the process of semantic expansion of *grid* on English soil, partially thanks to style. Despite the ambiguity of certain passages, the bulk of the contexts where the *frið* and the *grid* word-fields are used suggest that *grid* has superseded *frið* almost completely to refer to 'peace' or 'protection' when its restricted or special character is emphasized, the native term having been relegated to the indication of 'peace' or 'protection' in general. The following sections pay closer attention to these word-fields.

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4. 'And I shall give you plenty food and prosperity, and you shall live safe on this land in peace and protection under my guardianship'.
 5. WHom 19 may have been composed while Wulfstan was bishop of London, i.e. in a period when his activities as draftsman of legal codes had not yet started (see above, 1.1.2); this date, however, is not undisputed (cf. Wormald 2004:26). On Wulfstan's legislation on widows, see further Hollis (2004).
 6. This idea continues in the sentence which immediately follows the quotation through the use of *werian* 'to guard, keep', which only reappears once more in Wulfstan's works, viz. LawIICn 20.1. On the use of *mundbora* in WHom 19 58, see below, 4.1.2.1.

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4.1.1.1 THE *FRIÐ* WORD-FIELD

Before the Anglo-Scandinavian contact OE *frið* could indicate both (1) ‘peace’ or ‘protection’ in general, and (2) the ‘peace’ or ‘protection’ granted by a particular person or place or in particular circumstances (e.g. when sanctuary was needed).

A. ‘Peace’ or ‘protection’ in general

Frið is most commonly used in the Wulfstanian corpus to express the general meaning ‘peace, public security’. One could argue that its selection instead of *grīð* is determined by Wulfstan’s taste for alliterative phrases which must have been familiar to his contemporaries’ ears. This argument would find the support of the following contexts:

(1) ‘**frið** and **freondscype**’ (e.g. LawXAtr 2.1 = LawVAtr 1.1 = LawVIAtr 8.2 = Nap 51 274.21);⁷

(2) ‘ymbe **friðes** bote 7 ymbe **feos** bote’ (e.g. LawVIAtr 31 = LawCn 1018 20 = Nap 50 271.31 = LawIICn 8);⁸

(3) ‘ealles folces **frið** wyrðe betere’ (Nap 51 274.9–10);⁹ ‘folces **frið** bette’ (ChronD [Cubbin] 959.5–6 = ChronE [Irvine] 959.7);¹⁰

(4) ‘full **frið** wyrcan’ (LawCn 1020 3).¹¹

However, the validity of any argument relying solely on stylistic reasons for Wulfstan’s selection of *frið* is undermined by the following passage: ‘He sceall georne saca sehtan 7 **frið** wyrcan mid þam worulddeman, þe riht

7. ‘Peace and friendship’. Cp. Josh 9.6 or GenA,B 1760.

8. ‘For the improvement of security and the improvement of coinage’. *Friðes bōt* is a collocation used in previous legal codes (e.g. LawIVEg 14.1). Following his taste for ‘matching pairs’, Wulfstan opposes it to the echoing *fēos bōt*, an opposition not found outside his canon.

9. ‘So that the security of the whole nation improves’.

10. ‘Improved the nation’s security’. Cp. LawIAtr 0.2 and LawIVEg 15.

11. ‘Establish full security’. Cp. *full frēond* ‘true friend’, which appears three times in S 1486 (1000 x 1002); cp. ON ‘at fullum friði’ (‘in full peace’) (e.g. Gul. 148). Unless otherwise specified, charters’ dates follow those suggested by the *Electronic Sawyer*.

4. THE *GRİÐ* WORD-FIELD

lufian' (LawEpisc 4).¹² There are no stylistic constraints which may make *frið* preferable to *grīð*, and it is only the general aspect of the peace indicated by *frið* that can be seen as the reason for its selection instead of *grīð*.

Likewise, the derivatives *unfrið* 'enmity' (LawCnut 1020 4 and 5) and *friðlēas* should be associated with this general sense of *frið*. *Friðlēas* requires further comment. Its only occurrence in the canon presents it as a synonym of *ūtlah* / *ūtlaga* and *flȳma* (see above, 3.1.3.2): 'And gyf hwa þæne **friðleasan** man healde oððe feormie, bete þæt, swa hit ær lagu wæs' (LawIICn 15a).¹³ That it means 'outlawed', and not 'savage, barbarian' as in the two previous occurrences of the word in *OEC* (viz. And 29 and El 127), is suggested by two facts: (1) Nero A.i adds 'flyman' before *feormian*; and (2) *friðlēas* is translated as 'expulsus' ('expelled') in *Instituta Cnuti*. Steenstrup (1882:252) and Von See (1964:158) are right in hypothesizing that, in this context, *friðlēas* is most likely a loan-translation of ON *friðlauss*, which referred to a someone who had forfeited his personal right to the protection granted by the legal society in which he was immersed.¹⁴ As already noted by von See (1964:158), this term is most commonly used in East Scandinavian law-codes, and in particular in those from Denmark (e.g. SkL I.90 and JL II 1.14), whereas Swedish codes have both *friðlauss* and *biltogher* (e.g. UL Æ 21 and VmL Ku. 6; see Wennström 1933:68–72 and Åqvist 1968:266–71).

The use of *friðlēas* makes one wonder whether *frið* in LawIICn 13 ('7 se ðe utlages weorc gewyrce, wealde se cingc þæs **fripes**') may also indicate the individual's right to protection and peace. Robertson translates the passage as '[i]f anyone does the deed of an outlaw, the king alone shall have power to grant him security' (1925:181). Similarly, Hurnard, while trying

12. 'He must earnestly settle disputes and make peace, together with those secular judges who love justice'.

13. 'And therefore if anyone maintains or harbours an outlawed man, he shall make amends, as it was the law before'.

14. Other West Germanic languages do record equivalent compounds: OFris. *fretholâs* 'outlawed', MLG *vredelôs* id., MHG *vridelôs* id. (see Carr 1939:89). See, however, above, note 34 in Chapter 2; cp. OE *brȳdhlōp* 'ceremony on conducting a bride to her new home, wedding', which is clearly modelled on ON *brúðlaup* 'wedding, wedding feast', regardless of the existence of OHG *brûtlouft* 'wedding'.

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to establish the royal monopoly of pleas as it stands in *II Cnut*, expresses her belief that

this seems to mean that only the king can give him protection pending his trial, if he is ready to stand his trial, and this certainly suggests that the trial itself will also be the king's concern (1949:293).

It seems more likely that the decree refers to the trial itself, i.e. that we are told that it is only up to the king to decide on the individual's capacity to retain his right to peace and protection. He shall decide whether the criminal becomes *friðlēas* or, as the Scandinavian legal codes put it (e.g. Gul. 35 and Jn. 24), remains *friðheilagr* 'inviolable, protected by the law'.¹⁵

No other Old English text uses *frið* to indicate whether the individual will be able to remain in the legal society and retain its benefits or not, while the individual's right to protection and peace is commonly expressed by a member of the *mund* word-field (see below, 4.1.2). To find good *comparanda* one has to turn to Scandinavian laws, such as SkL 90, where it is said that, if a man kills another once compensation for a previous crime has been paid, he shall 'faræ friþlōs ok fa aldrigh **friþ**'.¹⁶ Similarly, VmL Ku. 6 explains that he who breaks the king's *edsöre* ('oath-confirmed') legislation (i.e. the legislation produced following the oath by the king, along with other important men of the realm, to protect public security) has forsaken everything he owns, shall be made an outlaw and 'alder i frið coma'.¹⁷ However, if the person (or his heir) against whom he has committed the crime pleads in his favour, then 'a conongær hanom **friþ** giwa oc han löse sic i friþ wiþ conong mæþ fioratighe marcom'.¹⁸ Thus, *frið*

15. Cp. LawICn 2.2, where the king is said to be the only one who can pardon the life of a person who has broken 'fully' the *grīð* offered by either a church or the king's hand.

16. 'Go away as an outlaw, and never regain the right to protection'.

17. 'Shall never come back to the protection offered by the legal society'. On the Swedish *edsöre* legislation, see Lindkvist (2003:230) and Schück (2003:395).

18. 'The king has to give him back his right to protection, and he shall redeem himself in peace with the king with forty marks'.

4. THE *GRİÐ* WORD-FIELD

in LawIICn 13 can be interpreted as a semantic loan from its Old Norse cognate.¹⁹

The new meaning of the expression in LawIICn 13 is mirrored by the uncommon syntactic construction because the demonstrative is only seldom used with *frið* in Old English. In those cases where it is, *frið* receives some postmodification: e.g. ‘Eac ic ðancie Gode 7 eow eallum ðe me fylston, **ðæs** friðes **ðe nu habbað æt ðam ðyfðam**’ (LawIIEm 5).²⁰ The demonstrative indicates that *frið* should not be understood as something indefinite (e.g. ‘security’, as Robertson 1925:11 interprets it), but as something definite, which allows the demonstrative to function as an equivalent of a possessive adjective.

B. ‘Peace’ or ‘protection’ in a restricted sense

Once *frið* in LawIICn 13 is interpreted as above, the more restricted sense of ‘protection given to criminals until their legal situation has been sorted out’ is found only in a few compounds of the *frið* word-field: *friðstōl* ‘sanctuary, asylum’ (LawGrið 16), and the otherwise unattested *friðsōcn* ‘sanctuary, asylum’ (LawVIIIATR 1.1 = LawICn 2.3), *friðbēna* ‘supplicant, refugee’ (LawVATR 29 and LawVIATR 36) and *friðsplott* ‘peace-spot, asylum’ (WCan 16). The use of *frið* in these compounds can be seen as a relic from the situation previous to the Anglo-Scandinavian contact in which *frið* covered both the general and the more restricted areas of ‘protection’. Indeed, a sense of tradition in their selection is suggested by the facts that (1) the first two collocate with *sēcan* ‘to seek’, the same verb with which *friðstōw*, a synonym of *friðstōl* and *friðsplott*, collocates in LawAfEl 13; and

19. The interpretation of *frið* supported here is also suggested by Liebermann, who translates the Cnutian decree as follows: ‘Und wer Friedlosenwerk verübt: [da] verfüge der König über den Frieden [den jener sich wiederkaufe]’ (‘and whoever commits a crime leading to outlawry: [then] the king is free to decide about the peace [which one buys back for himself]’) (1903–16:I, 317). Likewise, Clark Hall (1960:s.v. *frið*) translates the simplex in this context as ‘restoration of rights (to an outlaw)’.

20. ‘I also thank God and all of you, who have supported me, for the immunity from thefts which we now have’.

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(2) *friðsplott* appears in a context which records old heathen practices (cp. *friðgeard* ‘asylum, sanctuary’ in LawNorthu 54).

Notably, there is no emphasis on the special character of the protection being referred to. *Frið* is the determinant, not the determinatum of the compound. *Friðstōl* and *friðsplott* refer to a *stōl* ‘stool, chair; throne; bishop’s see’ or a *splott* ‘spot, patch of land’ which is special because of its ability to grant *frið*, not to the special *frið* granted by a *stōl* or a *splott*. Similarly, a *friðbēna* is a person seeking protection, and there is no need for this protection to be special. *Friðsōcn* can be understood as a tautological compound which owes its existence to the polyptoton it contributes to create: ‘deope friðsocne gesece’ (LawVIIIATR 1.1 = LawICn 2.3).²¹ That *frið* and *sōcn* are synonyms is suggested by the use of the latter to render *L refugium* ‘refuge’ in ÆGram 179.9. The fact that the compound needs the premodification of the adjective suggests that neither component indicates a special protection *per se*. In contrast, the only premodification which the members of the *grīð* word-field receive is associated with their grantor or grantee, not with their importance because *grīð* suggests this itself. In this respect, the selection of *frið* in these compounds instead of *grīð* may not be very far from Wulfstan’s general tendency to employ the native term when referring to protection in general, and not to some special protection with regard to its grantor or grantee.

4.1.1.2 THE *GRİÐ* WORD-FIELD

The maintenance of the restricted sense which *grīð* had in Scandinavia, about which Fell expresses scepticism, is clearly seen in legal texts. LawIIEm 7.1, a decree of uncertain date (see above, 2.3.4.1), establishes that ‘gebyreð þæt man sylle ðæs slagan forspecan on hand, þæt se slaga mote mið **grīðe** nyr 7 sylf wæres weddian’.²² The restricted sense with which the term arrived in England was early associated with a restriction in connection with its grantor. *Grið* was used to refer to some special peace or protection, regardless of the circumstances in which such peace or protection was

21. ‘Reaches such an important sanctuary’.

22. ‘It is fitting that the slayer’s advocate is given security that he [the slayer] may approach under safe conduct and pledge himself to pay wergild’.

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granted. Thus, whereas the prologue of *III Æthelred* indicates that the code contains the decrees which King Æthelred and his councillors enacted at Wantage ‘to friðes bote’,²³ LawIIIATR 1–1.2 present as the first decree that the violation of the *grið* which the king ‘mid his agenre hand sylð’ cannot be compensated for,²⁴ whereas the *grið* established by the ealdorman or the king’s reeve in the Court of the Five Boroughs as well as that established in the court of one borough can be compensated for. Similarly, LawIIIATR 13 establishes the punishment for those who furnish with food someone who ‘ures hlaforðes **grið** tobrocen habbe’.²⁵

The combination of these two senses of *grið* as (1) temporally or locally limited peace or protection, and (2) special peace or protection, determine Wulfstan’s use of the members of the *grið* word-field.

A. *Grið* in its closest sense to ON *grið*: temporally restricted ‘peace’ or ‘protection’

In LawGrið 4 and 5 the loanword refers to the number of nights a person is granted protection according to the status of the grantor, hence combining the temporally limited nature of *grið* agreements in Scandinavia with the special character of the grantor:²⁶

gyf feorhscyldig man cyning gesohte, arcebiscop oððon æþeling,
þonne ahte he nigon nihta **grið** feore to gebeorge (LawGrið 4)²⁷
7 gyf he gesohte leodbiscop oððe ealdorman oððon healicne
heafodstede, þonne ahte he VII nihta **grið** (LawGrið 5).²⁸

23. ‘For the improvement of [general] security’.

24. ‘Gives with his own hand’.

25. ‘Has broken our lord’s peace’.

26. The temporally restricted sense is clearly expressed by ON *fimtargrið* ‘peace [to escape] during five days’ (e.g. Gul. 22, 24 and 30).

27. ‘If a man who had forfeited his life sought the king, an archbishop or an atheling, then he had a truce of nine nights to save his life’.

28. ‘And if he sought a suffragan bishop or an ealdorman, or an exalted chief place, then he had a truce of seven nights’.

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Likewise, the *grīð* which West Scandinavian legal codes grant a man in the *þing* as well as on his way to and from the *þing* is mirrored in LawIICn 82, where *grīð* is granted to any man going to and from assemblies, unless he is a notorious thief. The attribution of this decree to Wulfstan, however, is not free from problems. Thus, it may be the case that the use of *grīð* in this case reflects ‘constrained usage’ rather than independent lexical selection (see below, 5.1).

B. The ‘peace’ and ‘protection’ enjoyed and granted by special institutions: *cyrīcgrið*, *grīðlēas*, *handgrið*, *grīðlagu* and *grīðbryce*

The meaning of most members of the *grīð* word-field in Wulfstan’s texts, albeit somewhat removed from that of ON *grīð*, still retains some connection with the original sense of the word in Scandinavia. These terms commonly appear in association with churches, the king or other people with secular or religious authority, who could be said to act as an equivalent of the *þing*, where weapons should be left aside, and where there should be no outbreak of violence (e.g. Gul. 160 and Frost. IV.9). The new application of this term is fully understandable when one considers that it has been adopted in a culture which witnessed the combination of religious as well as political power in the hands of the Church and its representatives, and, at the same time, ‘the growing power of lords and the consequent glorification of the image of royal lordship’ (O’Brien 1999:79).

On other occasions, discussed below under C, *grīð* indicates the protection or peace which should be granted to churches or special social groups. Here one could see an equivalent (admittedly, in broad terms) to those people who, having committed a crime, were in danger of violence in retaliation, churches, widows and holy orders being easy targets for unjust and illegal behaviour.

- Churches: *cyrīcgrið* and *grīðlēas*

Wulfstan shows throughout his texts a particular concern with the protection of the privileges of churches, especially their dues and their right for sanctuary, a sign of their inviolability. This concern is clearly expressed early on in his career, when Wulfstan uses Gregorius’s decree that ‘[s]i quis

4. THE *GRİÐ* WORD-FIELD

ecclesiam Dei denudauerit uel sanctimonia uiolauerit, anathema sit’ (WHom 10c 49–50) as the authoritative source for his complaints and demands. He renders this text as follows: ‘Se ðe Godes cyrican, he cwæð, rype oððe reafige oððe halignessa **grīð** scyrde oððe wyrde, a he forwyrðe’ (WHom 10c 51–52).²⁹ This text contains one of the first examples of *grīð* in the Wulfstanian corpus (and *OEC*) to indicate the right of sanctuary offered by holy places. Wulfstan’s insistence that this right must be kept runs through his canon: e.g. ‘ealle Godes circan beon fulles **grīðes** wurðe’ (LawVIIIatr 1).³⁰

Despite occasional uses of the simplex to refer to the churches’ right of sanctuary, it is most commonly expressed by the compound *cyricgrīð*:

And gif æfre ænig man heonan forð Godes **ciricgrīð** swa abrece,
þæt he binnon ciricwagum mansleaga wurðe, þonne sy þæt botleas
(LawVIIIatr 1.1)³¹

And gif be cwicum mannun **ciricgrīð** abrocen beo, betan man
georne be þam þe seo dæd sy, sy hit þurh feohtlac, si hit þurh
reafiac, si hit þurh unriht hæmed, si þurh þæt þæt hit sy
(LawVIIIatr 4; cp. LawICn 2.3 and 3).³²

This right is given the highest importance because churches represent God’s own protection on earth: ‘ælc **cyricgrīð** is **Cristes agen grīð** and ælc cristen man ah mycele þearfe, þe he on þam **grīðe** mycle mæpe wite’ (LawGrīð 31.1 = WPol 2.1.2 101 = WPol 2.1.1 206).³³ The union of the divine and

29. ‘Whoever robs or plunders God’s churches, he said, or injures or violates the sanctuary offered by holy places shall be forever accursed’.

30. ‘All God’s churches shall be entitled to full right of sanctuary’.

31. ‘And if ever henceforth any man violates the sanctuary of God’s church in a way that he commits homicide within the church walls, then that cannot be compensated for’.

32. ‘And if the sanctuary is violated without anyone being slain, it should be earnestly compensated for according to the deed, whether it is caused by fighting, or by robbery, or by unlawful intercourse, or whatever it is caused by’.

33. ‘Every church-sanctuary is Christ’s own sanctuary, and every Christian has a great need to show great respect for that sanctuary’. LawGrīð 31.1 actually has ‘Cristenes’ instead of ‘Cristes’, but Libermann (1903–16:I, 273) gives the latter as a better option.

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worldly spheres in the sanctuary offered by churches is likewise emphasized in the phrase *Godes cyricgrið* ‘God’s church-sanctuary’, i.e. the *cyricgrið* ‘church-sanctuary’ offered by *Godes cyrican* ‘God’s churches’, hence *Godes agen grið* ‘God’s own sanctuary’.

However, one has to doubt the actual effect that Wulfstan’s texts may have had when reading the context from *Sermo Lupi* which records the only occurrence of *griðlēas* in *OEC*:

þearf is þære bote forðam Godes gerihta wanodan nu lange innan
þisse þeode on æghwilcum ende, 7 folclaga wisedon ealles to
swiðe, 7 halignessa sindon to **griðleas** wide, 7 Godes hus sindon
to clæne beripte ealra gerihta 7 innan bestripte ælcra gerisena
(WHom 20.2 39–43 = WHom 20.3 38–42; cp. WHom 20.1
33–36).³⁴

In this context the most obvious meaning of *griðlēas* is ‘without a capacity to provide protection, violated’. However, *griðlēas* can also be associated with the sentence which appears immediately before the quoted text in the two longer versions of the sermon: ‘swa swa man Godes þeowum nu deð to wide þar cristene sceoldon Godes lage healdan 7 Godes þeowas **griðian**’ (WHom 20.2 37–38 = WHom 20.3 36–37).³⁵ This association would point towards those contexts where Wulfstan, in keeping with the ideas of the continental movement of the Peace of God (see below, C in this section), demands the protection of churches and their rights. It would turn a command like ‘sy ælc cyrice on Godes **griðe** 7 on ðæs cynges 7 on ealles Cristenes folces’ (LawVAtr 10.1 = LawVIAtr 13) into a general solution for the lack of protection of sanctuaries and the deprivation of churches from their rights.³⁶ Even though the first interpretation is the most evident, a lack

34. ‘There is need of an improvement, because God’s dues have diminished for too long in every region within this nation, and the laws of the people have become worse all too frequently, and sanctuaries are widely violated, and the houses of God are completely despoiled of all rights, and stripped of dignity inside’.

35. ‘As one now does [abuse] the servants of God too widely where Christians should keep God’s law and protect God’s servants’.

36. ‘Every church should be under the protection of God and the king and all the Christian people’.

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of awareness of the second meaning (i.e. ‘unprotected’) would deprive *griðlēas* of part of the semantic weight which it carries thanks to its association with the other members of its word-field.

- The king: *handgrið*

Following Wulfstan’s taste for compounds, and ‘matching pairs’ of compounds in particular, the wording from LawIIIATR 1 referring to the protection given by the king’s own hand is turned into the purely Wulfstanian compound *handgrið* ‘protection granted by the (king’s) hand’. It echoes *cyricgrið* in all its occurrences, which suggests that it may have reinforced, together with those contexts where *cyricgrið* is used next to *Godes* (*grið*), Wulfstan’s preference for *cyricgrið* over the traditional synonym *cyricfrið*. The basic structure where these compounds appear is ‘þæt **cyricgrið** binnan wagum and gehalgodes cyninges **handgrið** stande efen unwemme’ (Nap 50 266.9–12).³⁷ The wording is slightly modified in other contexts: LawEGu 1 does not include ‘gehalgodes’; LawGrið 2 = LawCn 1018 2.2 = LawICn 2.2 add ‘Godes’ in front of ‘cyricgrið’, and replace ‘gehalgodes’ with ‘cristenes’; Nap 51 275.10–11 and WPol 2.1.2 (Jost) 100 = WPol 2.1.1 (Jost) 205 place the verb after *cyricgrið*; LawVIATR 14 substitutes *bēon* ‘to be’ for *standan* ‘to stand, remain’ and places it in front of the formula.

Only in LawEGu 1 and LawVIATR 14 does *cyning* lack any premodification. One may want to attribute the use of ‘cristenes’ in LawGrið 2 = LawICn 2 to an attempt to emphasize the alliteration, but this cannot be the reason behind the more common selection of ‘gehalgodes’, which appears in *Nap 50*, *Nap 51* and the two *Polity* contexts. The use of this past participle points rather towards the Carolingian world, whence the importance of the consecration of kings is likely to have reached England.³⁸

37. ‘That the sanctuary within the walls of the church and the protection granted by the consecrated king’s hand shall remain equally inviolate’.

38. See Nelson (1988:215) on the importance which the Frankish kings attributed to consecration. On the importance of consecration for Anglo-Saxon kings and the influence which the Carolingian world had in this respect, see, for instance, Stafford (1973:119–25) and Deshman (1988:232–40). See Bethurum (1971) and Nelson (1988:240) on the influence of Carolingian images of kingship on Wulfstan.

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As explained above, 3.2.5.2, the premodification of a term by two words is fairly uncommon in Wulfstan's works unless one of them is a demonstrative, indefinite or possessive pronoun / adjective or a numeral. The fact that Wulfstan's general trend is broken in most cases involving *handgrið* hints at the significance which he attributed to the terms premodifying *cyning*.

- Various institutions: *griðlagu* and *griðbryce*

The *griðlagu* 'law of temporary or local peace' in LawGrið 9 is said to deal with the consequences of fighting 'on cyrican oððon on cynges huse' in southern England.³⁹ LawGrið 10–12 specify further fines to be applied in those cases when the peace around a minster without a church, the king, an archbishop, an atheling, a bishop or an ealdorman is violated.

Similarly, *griðbryce* 'breach of "grið"' can apply at the same time to the peace or protection of different institutions. In some contexts it is closely associated only with the violation of the protection granted by churches:

Bete man æfre ærest þone **griðbryce** into ðare circan, be þam þe seo dæd sy 7 be þam þe þare circan mæð sy (LawVIIIAttr 4.1 = LawICn 3a).⁴⁰

Heafodmynstres **griðbryce** æt botwurðan þingan bete man be cyninges munde, þæt is mid V pundum on Engla lage (LawVIIIAttr 5.1; cp. LawICn 3.2).⁴¹

LawVIIIAttr 4 has already been quoted when discussing the uses of *cyricgrið*, and its similarity with LawICn 3 has been referred to. Since both contexts include *cyricgrið*, *griðbryce* in LawVIIIAttr 4.1 = LawICn 3a can be interpreted as an example of what Chapman (1995:92) calls 'monster

39. 'In a church or in the king's house'.

40. 'The violation of sanctuary shall always be atoned for to the church first, according to the deed and according to the status of that church'.

41. 'Violation of the sanctuary of a chief minster, in case of a crime which can be atoned for, is to be compensated for at the rate of [the breach of] the king's protection, that is with five pounds in English law'.

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compounds' (i.e. the amalgamation of the three separate constituents forming two compounds):

cyricgrið
+ *griðbryce*

(*cyric*)*griðbryce*

There are two contexts where it is simply suggested that we are dealing with the violation of a special peace or protection, without any further specification of who the grantor or the grantee are. One of them is LawIICn 61, which explains that 'Gif hwa on fyrde **gryðbryce** fulwyrce, ðolige lifes oððe weregildes'.⁴² It establishes the same punishment which LawICn 2.2 decrees for a person who may violate 'fully' ('fulbrece') either 'Godes cyricgrið' or the 'cristenes ciningces handgrið'. The crime implied appears to be homicide, as suggested by LawVIIIATR 1.1, where homicide inside the walls of the church is said to be 'botleas'. The second part of LawIICn 61 commands that 'gyf he samwyrce, bete be ðam ðe seo dæd sy',⁴³ where *griðbryce* is implied. Its content is comparable with LawVIIIATR 4 = LawICn 3, which decree that, if the church's inviolability is broken in some other way which does not imply the death of the victim, amends should be made according to the nature of the crime. Thus, the punishments to be imposed following *griðbryce* argue in favour of the fact that it is not merely the 'breach of peace' in general, as translated by Robertson (1925:205) and Whitelock (1979:463), that is being discussed in LawIICn 61, but the breach of a special peace or protection (like that granted by the church or the king). The second context where *griðbryce* entails some vagueness is LawIICn 15, where the term is used as a synonym of *mundbryce* (LawIICn 12). This decree is discussed under 4.1.2.2.

C. The 'peace' or 'protection' enjoyed by churches and special social groups: *Godes grið*, *hælnesgrið* and *hādgrīð*

42. 'If anyone commits *griðbryce* while serving in the army, he shall forfeit his life or his wergild'.

43. 'If he is guilty of a minor deed of violence, he shall make amends according to deed'.

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Wulfstan voices very clearly the importance of having God's own protection: 'Godes **grið** is ealra **griða** selast to geearnianne 7 geornost to healdanne 7 þer nehst þæs cynges' (LawGrið 1 = LawCn 1018 2.1 = LawICn 2.1).⁴⁴ It is then not surprising that *grið* is the word normally selected to express it. However, the alliterative nature of the phrase may also have contributed to make it preferable in Wulfstan's ears to *Godes gescyldnes* as the equivalent of *protectio Dei* 'God's protection'.⁴⁵

Godes grið in LawGrið 1 = LawCn 1018 2.1 = LawICn 2.1 is closely associated with the protection granted by churches as representatives of God on earth, the formulaic union of *cyricgrið* and *handgrið* appearing immediately afterwards (LawGrið 2 = LawCn 1018 2.2 = LawICn 2.2; see above under B in this section). In the other contexts where the phrase *Godes grið* appears, it refers rather to the protection which should be granted to churches and specific social groups. These entities should be under heavenly as well as worldly protection:

And sy ælc wydewe, þe hig sylfe mid rihte gehealde, on **godes griðe**
and on þæs cynges (LawVAtr 21 = LawVIAtr 26 = LawCn 1018 16
= Nap 50 271.19).⁴⁶

And riht is þæt ælc cirice sy on **Godes griðe** and on ealles cristenes
folces (WPol 2.1.2 [Jost] 100 = WPol 2.1.1 [Jost] 205; cp. LawVAtr
10.1 = LawVIAtr 13).⁴⁷

O'Brien (1999:63–64) associates these decrees with the continental movement of the late tenth and eleventh centuries known as the Peace of God, which was enforced through agreements with local magnates or rulers. Goetz (1992:264) explains that the basic dispositions of the movement, as

44. 'God's protection is of all kinds of protection [the one which is] best to be obtained, and most earnestly to be upheld, and next that of the king'.

45. The collocation *Godes + frið* is not recorded in *OEC*; *frið drihtnes* is preferred instead (e.g. GenA,B 1151, Dan 437).

46. 'And every widow who conducts herself rightly shall be in the protection of God and the king'.

47. 'And it is right that each church should be under the protection of God and of all Christian people'.

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asserted in the Council of Charroux (989), involved the condemnation of (1) the violent invasion of churches and robbery committed in churches, (2) assault on unarmed clergymen, (3) theft of cattle from peasants and the poor. Subsequently, protection was expanded to all unarmed Christians (cp. LawECf 1).⁴⁸ O'Brien suggests that Wulfstan

may have introduced more aspects of the continental peace without any public assembly like those typically linked to the peace on the continent and without calling his version of these peace laws by their continental label. Instead, he dressed them as development from the customary Church peace in England (1999:64).

The fact that the protection granted by special entities develops from the special protection which they themselves enjoy makes the interpretation of the exact meaning of the *hapax legomena* *hælnesgrið* and *hādgrīð* particularly difficult. What is evident, though, is that these terms, like *handgrið*, owe their existence to Wulfstan's obsession with 'matching pairs' of echoing compounds: '**Hælnesgrið 7 hadgrið** healde man mid rihte æfre swyþe georne 7 Godes lagum fylge 7 lareowum hlyste, swa þærto gebyrige' (LawGrið 19).⁴⁹

Bethurum (1950:453) interprets LawGrið 19 as the first chapter of the second part of *Grið*. In it the purely legal character of the first part is overwhelmed by Wulfstan's homiletic discussion on the necessity to honour the Church and God's Commandments, and on the relation of Christian men with the Church and with each other. Thus, the compounds can be associated with LawGrið 24, which refers to the protection exercised by wise councillors over churches and God's servants. This interpretation agrees with Liebermann's translation of the first part of the decree as 'the special

48. On the expansion of this movement on the continent and its later development into the so-called 'Truce of God', see Bonnaud-Delamare (1957), Töpfer (1957), de Bouard (1959) and Hoffmann (1964), as well as the other articles in the volume containing Goetz's (1992).

49. 'The protection [by / to] sanctuaries and the protection [by / to] holy orders should always be rightly observed very earnestly, and God's law should be followed, and teachers should be obeyed, as it befits them'.

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protection of the shrines and that of the clergy'.⁵⁰ It also agrees with his translation of *hādgrīð* as 'special peace; protection for the clergy', where the semantic relation between the head and the postmodifier of his phrases is fully expanded.⁵¹

However, it could also be the case that LawGrið 19 refers back to LawGrið 3, a description of a Golden Age which has to be recovered; in this decree we are told that 'heafodstedas 7 healice hadas' were formerly capable of providing protection to whoever required it.⁵² Then *grīð* would refer to the special protection which shrines and God's servants can (and should) provide.

The consistent preference for *grīð* over *frið* to indicate the special protection which certain groups should enjoy is kept in all contexts but one, where stylistic matters are likely to be the reason for Wulfstan's lexical choice: 'La, þurh hwæt sceal Godes þeowum and Godes þearfum **frið** and fultum cuman butan Crist and þurh cristenne cyning?' (WPol 2.1.2 [Jost] 10 = WPol 2.1.1 [Jost] 12 = Nap 50 267.3–5).⁵³ By putting on hold his taste for *Godes grīð*, and selecting instead the common Old English union of *frið* and *fultum* (cp. PPs 143.2 and Fates 88), Wulfstan is able to construct a passage dominated by 'matching pairs' and alliteration, where the concepts of 'God's servants', 'God's poor', 'protection', 'support', 'Christ' and the 'Christian king' are closely linked.

4.1.1.3 GRĪÐIAN AND FRĪÐIAN

The apparent semantic difference between the rhyming *frið* and *grīð* may explain why Wulfstan, always keen on similar phrases, only joined them once in the same context, which is in clear contrast with the taste for this

50. 'Den Sonderfrieden des Heiligthums und den des Klerus' (1903–16:I, 471).

51. 'Sonderfriedung; Schutz für den Klerus' (1903–16:II, s.v. *hādgrīð*).

52. 'The chief places and exalted holy orders'. See below, 4.1.1.3, for the whole text of the decree.

53. 'Indeed, through what shall peace and support come to God's servants and God's poor, but through Christ and a Christian king?'

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union exhibited by Middle English authors.⁵⁴ These semantic barriers do not appear to be at work as far as *grīðian* ‘to protect’ and *frīðian* id. are concerned because they are frequently coordinated (e.g. LawVIATR 42.2 = LawCn 1018 29 = Nap 59 308.28).⁵⁵ In those contexts where they are not, only occasionally do they retain the distinction between the concepts expressed by *grīð* and *frīð* in the Wulfstanian canon. For instance, in LawGrīð 3 *grīðian* is associated with the protection granted by special places and religious authorities: ‘7 hwilum wæran heafodstedas 7 healice hadas micelre mæðe 7 munde wyrðe 7 **grīðian** mihton þa, þe þæs beðorfton 7 þærto sohtan, aa be ðære mæðe, þe þærto gebyrede’.⁵⁶

In most of the other contexts either one or the other is selected to indicate the protection of churches and their servants, the choice being in many cases determined by alliteration:

7 halidom 7 hadas for **Godes** lufan wurðodon 7 **Godes** hus 7 **Godes** þeowas deoplice **grīðedon** (LawHad 11).⁵⁷

And sixte, þæt he Godes circan forðige and **frīðige** (‘ecclesiam dei adiuuare et defendere’) (WPol 2.1.2 [Jost] 22 = WPol 2.1.1 [Jost] 29).⁵⁸

54. See *MED* (s.vv. *frith*, n.1, sense 1b; and *grith*, sense 1b). McKinney (1994:90–91) does not place any significance on the numerical difference in the coordination of the simplexes and the derivatives. He simply refers to the two as examples of the similar meaning of the members of the two word-fields.

55. The different levels of semantic expansion reached by the members of the *grīð* word-field can be compared with the use of *lagu* to refer to religious and secular laws, as opposed to *lagian* and *lahlice*, which only very occasionally appear in religious contexts (see above, 3.1.2.1 and 3.1.2.2).

56. ‘And formerly the chief places and exalted holy orders were entitled to great dignity and [right of] protection, could protect those who needed it, and sought it in them, always according to the dignity which appertained to them’.

57. ‘And honoured relics and holy orders for the love of God, and deeply protected God’s houses and God’s servants’.

58. ‘And sixth that he [the king] should advance and protect the Church of God’.

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4.1.1.4 *CONCLUSION*

The analysis of the interaction between the *frið* and the *grid* word-fields in Wulfstan's works broadly agrees with Fell's (1985) opinion that the difference between *frið* and *grid* may have been rapidly eroded on English soil as far as general usage (represented in *WHom 19*) was concerned. When looking at the legal language, evidence may suggest that

grid and *gridian* have been fully and formally adopted into English legal terminology. But the legal status given to *grid* can even so be a development that took place only after its naturalisation as an English word, since the legal concern is very largely with church-*grid*, a concept that can hardly have been brought over by pagan Vikings (Fell 1985:91).

Even though the concept of 'church-*grid*' may not have been brought over by the Vikings, the restricted sense which *grid* still maintains in LawIIEm 7.1 and LawIICn 82 indicates that the semantic restrictions with which *grid* was borrowed had not been fully eroded by the eleventh century, at least as far as legal usage was concerned.

Admittedly, sometimes it is not easy to determine the specific meaning of the members of the *grid* word-field. Some of the doubts which one has when reading Wulfstan's works are

- (1) whether the peace or protection referred to is granted *by* or *to* a special institution or group (e.g. those contexts containing *gridlēas*, *hælnesgrid* and *hādgrid*);
- (2) whether the peace and protection referred to is granted in limited circumstances, i.e. to a person seeking sanctuary, or in any circumstance (e.g. the contexts where *handgrid* echoes *cyricgrid*); this suggests that the key point may simply be that the peace and protection which special institutions should enjoy and be able to grant must never be violated;
- (3) whether the peace or protection which *grid* indicates is indeed special, and, if so, whose peace or protection is under consideration (e.g. LawIICn 15 and 61, the contexts where *gridbryce* is not directly associated with the *grid* provided by churches);

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(4) whether, at least in some cases, stylistic reasons (especially some sort of echoic effect like alliteration and diacope) and Wulfstan's 'cut-and-paste' technique of composition are as significant in determining his preference for *grīð* over *frið* as the semantic difference between the simplexes. If this is the case, then the question of how certain one can be that the difference between the two terms is not more apparent than real, and that it has not been artificially created (or rather, enhanced) for the sake of style cannot be dismissed.

The general feeling which one has after (or rather, develops while) reading Wulfstan's works is that *grīð* has indeed gone through a process combining semantic expansion and melioration regarding its grantors and beneficiaries. As explained above, under B in 4.1.1.2, this process cannot be completely dissociated from the meaning which *grīð* had originally in Scandinavia. Instead, it should be interpreted as a result of the adaptation of the restrictive nature of *grīð* to a different society. This process may have been helped by Wulfstan's concern for style, but one cannot easily conclude that it was solely determined by it because it may have left traces in texts previous to Wulfstan's. Thus, it is worth remembering that *grīð* in its extended sense is probably first associated, not with the Church, but with the king in *III Æthelred*.⁵⁹

4.1.2 THE *GRİÐ* AND *MUND* WORD-FIELDS

In Old English the *mund* word-field could indicate (1) 'peace' or 'protection' and (2) the 'fine for the breach of laws of protection'.

4.1.2.1 THE 'PEACE' AND 'PROTECTION' GRANTED AND ENJOYED BY SPECIAL ENTITIES

Liebermann (1903–16:II, s.v. *Schutz* 3.a) explains that *mund* and *grīð* differ in that *mund* refers to the privilege of peace and protection which any free

59. The presence of *probably* bears witness to the uncertainty among Anglo-Saxon scholars regarding the date of this code. Liebermann (1903–16) dates it 981 x 1012, possibly 997, the year when there is charter evidence for a meeting in Wantage. Whitelock (1979:439), Keynes (1980:196), Neff (1989:286) and Wormald (1999d: 328–29) accept this date as a very likely possibility.

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person enjoys (cp. LawAbt 15), whereas *grið* indicates the privilege of protection enjoyed by special entities. However, he also points out that, when used in the title of *Grið* ('Be *grið* and *mund*') this distinction is blurred. In fact, this is the case for most of the Wulfstanian corpus, where *mund* is commonly used to refer either to the special protection offered by the king, churches or God, or to the protection which God's servants should enjoy.

In many cases the selection of the members of this word-field is prompted by Wulfstan's taste for alliteration and commoratio. Thus, *mund* seems to have the second sense (i.e. the protection which God's servants should be granted) only in the purely Wulfstanian alliterating phrase 'mæðe and munde' (e.g. WHom 20.1 29 = WHom 20.2 34 = WHom 20.3 33–34, WPol 2.1.2 [Jost] 109 = WPol 2.1.1 [Jost] 214).⁶⁰

The same phrase is used to indicate the respect and right to provide and have protection which churches should enjoy, although other members of the *mund* word-field can also indicate the special protection granted by churches:

(1) In LawGrið 3 'mæðe and munde' appears to refer anaphorically to *cyricgrið* in LawGrið 2, and cataphorically to the churches' capacity to provide sanctuary, a capacity determined by their *mæð*:

Ðonne is rihtlic, þæt Godes **cyricgrið** binnan wagum 7 Cristenes
cyninges handgrið stande efen unwemme (LawGrið 2)⁶¹
7 hwilum wæran heafodstedas 7 healice hadas micelre **mæðe 7**
munde wyrðe 7 griðian mihton þa, þe þæs beðorfton 7 þærto
sohtan, aa be ðære mæðe, þe þærto gebyrede (LawGrið 3).⁶²

(2) The alliterating pair also occurs together with the standard formula for *cyricgrið* and *handgrið*: 'Godes circan beon beteran **mæðe and munde** wyrðe, þonne hig ær þysan wæron: þæt is, þæt **cyricgrið** binnan wagum and

60. 'Dignity and [right of] protection'.

61. 'Then it is right that the sanctuary within the walls of God's church and the protection granted by the Christian king's hand should remain equally inviolate'.

62. 'And formerly the chief places and exalted holy orders were entitled to great dignity and [right of] protection, could protect those who needed it, and sought it in them, always according to the dignity which appertained to them'.

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gehalgodes cyninges **handgrið** stande efen unwemme' (Nap 50 266.9–12).⁶³ In this case the fact that, as explained by McKinney (1994:33), *mund* has as its two main senses 'hand' and 'protection' justifies the association of *mund* not only with *cyricgrið* (i.e. the churches' right to provide protection), but also with 'cyninges handgrið'. Thus, besides indicating, as usual, the protection granted by the king to those around him or to those seeking sanctuary from him, *handgrið* in this case could also be interpreted as a reference to the importance of the king's protection over 'Godes cirican' (cp. LawVATR 10.1 = LawVIATR 13; cp. *griðlēas*). This context would then be a reference to WPol 2.1.2 (Jost) 22 = WPol 2.1.1 (Jost) 29, where Wulfstan explains that a righteous king should further and protect God's churches. Thus, the past participle which determines *cyninges* acquires additional importance.⁶⁴

(3) In LawGrið 14 *mundbyrd* refers to the protection offered by the church-doors, which are mentioned in LawGrið 13.2:

7 se ðe man ofslehð binnan cyricderum, sylle þære cyrican CXX
scill' be Norðengla lage (LawGrið 13.2).⁶⁵

7 frigman se ðe cwicne on þære **mundbyrde** geyfelige, sylle XXX
scill' (LawGrið 14).⁶⁶

63. 'God's churches should be entitled to greater dignity and protection than they have been until now: that is that the sanctuary within the walls of the church and the protection granted by the consecrated king's hand are to remain equally inviolate'.

64. Wulfstan may have been influenced, not only by the significance which Carolingians placed on royal consecration (see above, note 38 in this chapter), but also by the title 'defensor ecclesiae' ('defender of the Church') attributed to Charlemagne; on this title, see Robinson (1988:294ff).

65. 'And whoever slays someone within the church doors shall give a hundred and twenty shillings to the church according to the North-Angles' law'.

66. 'And a freeman who harms a living person within the protection of the church doors shall pay thirty shillings'. Liebermann also interprets *mundbyrd* in this way, as his translation of 'on þære mundbyrde' as 'in dieser Schutzgewalt' ('in this area of protection') (1903–16:I, 471) indicates. Thorpe (1840:I, 333) translates the phrase instead as 'in his "mundbyrd"', hence assigning to this member of the *mund* word-field a meaning which, according to Liebermann's (1903–16:II, s.v. *Schutz* 3.a) distinction, *grið* did not have.

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The protection offered by the king is also expressed by the members of this word-field:

(1) Wulfstan claims that the Christian king should: ‘eallum mægene cristendom rære and godes cyrcean æghwar fyrðrie and fryðie and godes are **mundie** æfre and eall cristen folc sybbie and sehte mid rihtre lage’ (Nap 50 266.15–18).⁶⁷

(2) In LawEGu 12, LawVIIIAt 33 and LawIICn 40 the king (together with the earl and the bishop) is designated to act as kinsman and *mundbora* ‘protector’ for a man in orders or a stranger, if the person has no protector.

(3) In LawGrið 11 *mundbryce* ‘breach of “mund”’ refers back to LawGrið 9, where *griðlagu*, as already explained (see above, 4.1.1.2), indicates the law as it stood regarding the peace provided by special entities, mainly that in the church and the king’s house: ‘7 gyf hwa cynges **mundbrice** elles gewyrce, gebete þæt mid V pundum on Engla lage, arcebiscopes 7 æpelinges **mundbrice** mid þrim pundum, oðres biscopæs 7 ealdormannes mid II pundum’.⁶⁸ This decree, however, like LawIICn 58–58.2, is inspired by LawAf 3–3.2, where the possible replacement of ‘borges bryce’ by ‘mundbryce’ is implied (cp. Wormald, 1999d:353, note 427, and 359):⁶⁹

Gif hwa cyninges borg abrece, gebete þone tyht swa him ryht wisie,
7 þæs borges bryce mid V pundum mærra pæninga (LawAf 3).⁷⁰

67. ‘Promote Christianity with all his power, advance and protect God’s churches, guard always over God’s dignity, reconcile all Christian nations and make agreements according to the true law’.

68. ‘And if anyone, in any other way, breaks the king’s protection, he shall make amends for it with five pounds, according to the law of the English; the breaking of an archbishop’s and an atheling’s protection with three pounds; [the breaking of the protection] of another bishop and an ealdorman, with two pounds’.

69. On LawIICn 58–58.2, see below, 4.1.3. That Wulfstan was inspired by this text is supported, not only by the lexical similarity, but also by the fact that he kept *ealdormann* instead of using *eorl* (see below, 6.1.1.2).

70. ‘If anyone violates the king’s protection [/ surety?], he shall make amends for the charge as the law directs him, and for the breach of protection with five pounds of pure pennies’.

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Ærcebiscepes borges bryce oððe his mundbyrde gebete mid ðrim pundum (LawAf 3.1).⁷¹

Oðres biscepes oððe ealdormonnes borges bryce oððe mundbyrd gebete mid twam pundum (LawAf 3.2).⁷²

Therefore, the selection of *mundbryce* in this context should rather be associated with other cases in which Wulfstan's lexical choice is determined by 'constrained usage'.

(3) LawIICn 42 decrees that whoever binds, beats or insults a man in holy orders shall pay a fine to the bishop, as well as to his lord or the king for the breach of his *mund*.

These terms are also applied to God, the protector *par excellence*, although only in *WHom* 19. As explained above, 4.1.1, *mund* in *WHom* 19 49–51 refers to the protection which God will grant to the Israelites if they follow His Commandments. Hence, in *WHom* 19 58 He is said to have told them that He wants to be their *mundbora*, a role which He is commonly assigned in religious writings (e.g. PPs 120.5 and *ÆCHom* I, 24 8).

4.1.2.2 THE 'FINE FOR THE BREACH OF LAWS OF PROTECTION'

Following traditional Old English usage, *mund* also has a financial sense in the Wulfstanian canon, viz. 'the fine to be paid for the violation of someone's *mund*':⁷³ e.g. '7 gyf hwa folces fyrdscip awyrde, gebete þæt georne, 7 cyninge þa **munde**; 7 gif hit man amyrre, þæt hit ænote weorðe, forgyld e hit fullice, 7 cyninge þone **mundbrice**' (LawVIAt 34).⁷⁴ This

71. '[He] shall make amends for the breach of the archbishop's protection [/ surety?] or his guardianship with three pounds'.

72. '[He] shall make amends for the breach of the protection [/ surety?] or guardianship of another bishop or an ealdorman with two pounds'.

73. The use of *mund* and its compounds with the meaning 'fine to be paid for the violation of someone's *mund*' is recorded in Anglo-Saxon laws from Æthelberht's time onwards: e.g. LawAbt 8 and 15 use *mundbyrd* in this sense.

74. 'And if anyone damages a national battle-ship, he shall earnestly make amends for it, and shall pay to the king the fine due for breach of his protection; and if it is destroyed so that it is useless, he shall pay for it in full, and shall give the king the fine due for breach of his protection'.

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usage differentiates *mund* from the simplexes *grið* and *frið*, which never bear this meaning in Wulfstan's works. Accordingly, the association between the violation of the *grið* granted by a church or the king and the fine to be paid for it, expressed by a member of the *mund* word-field, is fairly frequent: e.g. 'bete man þæt **ciriegrið** into ðare circan be þæs cyninges fullan **mundbryce**' (LawVIIIATR 3 = LawICn 2.5).⁷⁵ Here *cyrriegrið* is used instead of the expected *griðbryce* (cp. LawVIIIATR 4.1 = LawICn 3a).

The connection between the *grið* and the *mund* word-fields allows for the use of *griðbryce* in LawIICn 15 as the northern equivalent of *mundbryce* to indicate the fine to be paid for the breach of the peace or protection enjoyed or granted by a special institution:

Dis syndon þa gerihta, þe se cingc ah ofer ealle men on Wessexan:
þæt is **mundbryce** 7 hamsocne, forsteal 7 flymena fyrmðe 7
fyrdwite butan he hwæne ðe furðor gemæðrian wylle 7 he him ðæs
weorðscipes geunne (LawIICn 12).⁷⁶

And on Dæna lage he ah fihtewita 7 fyrdwita, **gryðbryce** 7
hamsocne, butan he hwæne ðe furður gemæðrian wylle (LawIICn
15).⁷⁷

Liebermann (1903–16:II, s.v. *griðbryce*) and Hurnard (1949:290) rightly explain that in this context *griðbryce* can also be said to maintain the restricted sense associated with *grið*. Given the close connection between the *mund* and the *grið* word-fields in the Wulfstanian corpus, and the fact that the two terms are used as synonyms in the text, there is no need to differentiate the two compounds, and assign, as Robertson (1925:181) does, a restricted sense to *mundbryce*, which she translates as '[the payments for]

75. 'The violation of the church-sanctuary shall be compensated for to the church in accordance with the fine for full breach of the king's protection'.

76. 'These are the dues to which the king is entitled from all men in Wessex, namely, [the payments for] violation of a special protection, and for attacks on people's houses, for assault and for harbouring outlaws and for evading military service, unless he wishes to honour someone further and grant him this dignity'.

77. 'And in the law of the Danes he has the [right to receive the] fines for fighting, evasion of military service, violation of a special protection and attacks upon people's houses, unless he wishes to honour someone further'.

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violation of his [the king's] *mund*', and a more general sense to *griðbryce*, which she translates as 'the receipt of fines for [...] the breach of the peace'. Instead, the translation of the two terms as 'the receipt of fines for the violation of a special protection' is more appropriate.⁷⁸

One could argue that the choice of *griðbryce* instead of *mundbryce* to collocate with *hāmsōcn* when referring to (Anglo-)Scandinavian practices implies that *griðbryce* was understood as a typically northern term. However, this hypothesis is invalidated by (1) the occurrence of *griðbryce* and other members of the *grið* word-field in contexts where it is not obvious that they refer to Scandinavian practices (cp. LawGrið 9); and (2) the fact that the term *griðbryce* is already used in a similarly formulaic list of privileges in Cnut's writ from 1020 confirming the granting of judicial and economic rights to Archbishop Æthelnoth, viz. S 986.⁷⁹ Thus, the opposition between *mundbryce* and *griðbryce* in this context seems to have arisen as a result of Wulfstan's taste for variation; and, possibly, as an attempt to emphasize the tradition behind the decree in LawIICn 12 by giving it a similar wording to LawIIEm 6, where *mundbryce* and *hāmsōcn* are also coordinated (in that context, however, they indicate the crimes *per se*). The selection of *griðbryce* need therefore not be understood as an effort to record a lexical contrast in legal practices, which, admittedly, may have existed.

McKinney (1994:42) counts *mundbryce* ten times in the laws and six times in charters, but it is not obvious from his table that, besides its use in LawIIEm 6, the other nine occurrences of this term in the laws are found in Wulfstan's texts. Likewise, his table does not show that the six occurrences in the charters (where *mundbryce*, always included in the formulaic list of rights, is only recorded in its financial sense, as in LawIICn 12) are later than Wulfstan's works.⁸⁰ Thus, Wulfstan's texts are the first to record this

78. On the meaning of *griðbryce* in this formulaic list of privileges, see also Cam (1957:429–33), Harmer (1989:80) and especially Hurnard (1949:303ff), who argues that after Cnut's time the seriousness of the crimes encapsulated in this term diminished, and it referred rather to a simple assault or medley (cp. Wormald 1999c:317).

79. On the connection between this writ and Wulfstan's language, see below, 8.1.2. Later documents even join both terms in the formulaic list (e.g. S 1148, 1065 x 1066).

80. The earliest charter containing this term is S 976 (1035).

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term with a financial sense. However, the fact that *mund* and *mundbyrd* were already used similarly in previous codes implies that Wulfstan's works may record a wide-spread practice rather than a semantic extension of the term developed by the archbishop. Similarly, no word of the *grīð* word-field is recorded in a previous text referring to the fines to be paid when the peace was broken. Nonetheless, the *frið* word-field was already used in that sense (e.g. LawAbt 1).

4.1.3 THE *GRİÐ* AND *BORG* WORD-FIELDS

McKinney's (1994) study reveals that *borg*, besides 'surety' and 'loan', could occasionally mean 'protection'. In the Wulfstanian texts, the word normally means 'surety' (e.g. LawEGu 3, LawGrið 3, LawVIIIATR 27 = LawICn 5.3) or 'debt' (LawVATR 20 = LawVIATR 25.2 = LawICn 17.3), a subdivision of the meaning 'loan' (see McKinney 1994:113). However, in LawIICn 58–58.2 it refers to the king's, the archbishop's, the atheling's, the bishop's and the ealdorman's protection, a sense which McKinney (1994:113) includes under 'surety':

Gif hwa ciningces **borh** abrece, gebete þæt mid V pundan (LawIICn 58).⁸¹

Gif hwa arcebisceopes **borh** oððe æþelinges abrece, gebete þæt mid þrim pundan (LawIICn 58.1).⁸²

Gif hwa leodbisceopes oððe ealdormannes **borh** abrece, gebete þæt mid II pundan (LawIICn 58.2).⁸³

The use of *borg* in this context instead of *grīð* is determined by the fact that LawIICn 58–58.2 follows LawAf 3–3.2 almost verbatim.⁸⁴ Therefore,

81. 'If anyone breaks the king's protection, he shall make amends with five pounds'.

82. 'If anyone violates the protection of an archbishop or an atheling, he shall make amends with three pounds'.

83. 'If anyone violates the protection of a suffragan bishop or an ealdorman, he shall make amends with two pounds'.

84. See above, 4.1.2.1, for a quotation of the Alfredian decrees.

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the presence of *borg* can be attributed, even more clearly than the case of *mundbryce* in LawGrið 11 (see above, 4.1.2.1), to ‘constrained usage’.

4.1.4 IMPLICATIONS FOR THE AUTHORSHIP OF *NOR. GRIÐ*

The results of the close analysis of the relationship between the four word-fields studied in this chapter can be applied to the tract known as *Nor. Grið*:

[1] 7 on Norðhymbra lage is sanctus Petrus **cyricfrið** 7 sanctus Wilfriðus 7 sanctus Iohannes binan cyricwagum þreo hundred æt cwicum men, 7 æt deadum botleas. [2] 7 oðera stowa **grið** is læsse mæpe aa be stowe mæpe. [3] 7 preoste cyricgangas syndan forbodene wifum 7 wæpnum. [4] 7 **cyricgrið** dyre æghwar be mæðe ofer ealle ðam rice.⁸⁵

This application casts reasonable doubts on Wulfstan’s authorship of the text because

- (1) the mixture of *frið* and *grið* is not found in Wulfstan’s texts other than in a context belonging to a non-legal text, dominated by commoratio and rhyme (see above, 4.1.1);
- (2) the text contains the term *cyricfrið* ‘church-sanctuary’, which does not occur anywhere else in the Wulfstanian corpus;
- (3) *cyricfrið* and *grið* refer, not to the protection granted by the church *per se*, but to the fine which should be paid when that protection has been violated, whereas the simplex *grið* or the compound *cyricgrið* never have that meaning in the other texts attributed to Wulfstan.

Lexical evidence is at odds with the manuscript context of this text because it is only found on fo. 96^v of Nero A.i, i.e. it is integrated in the second part of the manuscript, which covers fos. 70–177 (see Ker 1990:no.

85. ‘And in the territories under the Northumbrian law the [fine for the violation of the] sanctuary of St Peter and St Wilfred and St John is £24 [see Liebermann 1903–16:I, 473, note e] if the victim lives, but the crime cannot be atoned for by any payment of compensation if the victim dies. And the [fines for the violation of the] protection of other places of less importance shall always be in accordance with their status. And going to the church with women and weapons is forbidden to the priest. And the protection granted by the church shall be esteemed highly according to the status of the church throughout the whole kingdom’.

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164; and Dammary 1994:256–59). This part has a close connection with Wulfstan not only because it includes many of his works, but also because Ker (1971:321–24) has identified many of the additions in it as the archbishop's. The text could then be assigned to one of Wulfstan's subordinates, who attempted to copy his language without fully managing it (see above, 1.1.1.2).

4.2 ETYMOLOGY OF THE COMPLEXES IN THE *GRID* WORD-FIELD

As with the *lagu* word-field, determining the etymology of some of the members of the *grið* word-field is relatively simple, especially if they combine two features:

- (1) they do not have an equivalent in Old Norse (or, as in the case of *cyrícgrið*, it is evident that this equivalent does not belong to a period previous to the Anglo-Scandinavian contact; see below, 8.2.2.3);
- (2) they occur only in Wulfstan's texts or texts which have been closely associated with his canon.

This is the case of the hybrids *hālnesgrið*, *hādgríð*, *handgrið* and *cyrícgrið*. There cannot be much doubt that the first three compounds were '(re)generated' by the archbishop. *Cyrícgrið* can also be attributed to his '(re)generative' capacity, especially when one considers that it frequently echoes *handgrið*, or is premodified by *Godes*, hence combining its belonging to the large group of *cyrice*-compounds in Wulfstan's idiolect with the archbishop's taste for the collocation *Godes grið*. During the Old English period the term *cyrícgrið* (besides in Wulfstan's texts and *Nor. Grið*) is also found in LawNorthu 19, a decree belonging to a text where Wulfstan's influence is widely accepted, and in LawIIEg 5.3, the authenticity of which is questionable (see above, 1.1.1.2).

Even though the compound *griðabrek* 'breach of truce' is recorded in Old Norse, *griðbryce* in the Wulfstanian works should be seen as another example of the archbishop's fondness for compounds containing *-bryce* as the determinatum (see above, 3.3). That the native *mundbryce* could have provided him with a good model is suggested by the partial synonymy which the two terms have in his works. Admittedly, the fact that *griðbryce* is also used as an exocentric compound may be understood as evidence

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against its recent creation (cp. *lahslit*; see above, 3.3). However, the use of *cyricfrið* with this financial sense already in the first extant Anglo-Saxon code (viz. LawAbt 1) suggests that the step from an endocentric to an exocentric compound must have been fairly easy as far as this compound is concerned.

Carr (1939:28) derives *grīðlēas* from ON *grīðalauss*. Very conveniently to emphasize the similarity between the two compounds, he cites the form of the derivative associated with the meaning of ON *grīð* in the singular, viz. ‘home, domicile’, instead of *grīðalauss*, which is the form that the derivative adopts when it means ‘without a truce, truceless’. Carr’s etymological explanation might not be appropriate because the recorded meaning which the complex had in Old Norse brings it closer to *friðlēas* than to *grīðlēas*. Whereas the difference between *grīðalauss* and *friðalauss* / *friðlēas* lies simply in the nature of the peace or protection which the institution / person described with these adjectives is deprived of, the difference between *grīðalauss* and *grīðlēas* lies in the fact that the former refers to a person who is not granted protection, whereas the latter seems to be applied to an institution which is not able to grant protection. Even though the same caveats concerning the slight semantic differences which words have in Old Norse and Old English texts raised with regard to *unlagu* apply in this case (see above, 2.3.2 and 3.3), the interpretation of *grīðlēas* as a Wulfstanian ‘(re)generation’ is preferred here because the meaning which *grīð* has in Wulfstan’s texts provides a good model for the derivative to develop independently. Derivatives such as *borhlēas* ‘without security’ (e.g. LawIIIATR 5) and *frēondlēas* ‘without friends’ (e.g. WCan 68 = LawVIIIATR 22 = LawICn 5.2a), as well as *friðlēas*, may have provided him with sufficient examples of the type ‘X-*lēas*’ to indicate ‘deprived of the enjoyment of the privileges of X’ (where ‘X’ refers in the case of *grīðlēas* to the privilege to grant [and receive?] protection).⁸⁶

As with *lagian*, there is no need to attribute the complex *grīðian*, a new-formation in Anglo-Scandinavian England, to the archbishop’s creativity. In fact, McKinney (1994:95) shows that the verb is mainly used in the *Anglo-Saxon Chronicle*, where it is recorded eighteen times as opposed to seven times in Wulfstan’s texts. What is not clear, as pointed out by

86. See also Peters (1981b:93) for a sceptical view about the interpretation of the *grīð*-complexes attested in Old English as loanblends.

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Steenstrup (1882:249) and Hofmann (1955:§269), is whether the verb *griðian* was formed by taking OE *friðian* as a model or whether it is an English adaptation of the verb which lies behind the two participial forms ‘gruthæt’ and ‘gruthathær’ in ESjL II.10 and II.12 (i.e. ODan. **gruthæ*). The synonymy which *friðian* and *griðian* have even in legal (or legalistic) texts, where the simplexes are clearly distinguished, may point to the former.

Table 8 summarizes the etymological discussion presented in the previous lines.

Terms ‘(re)generated’ by Wulfstan	New-formations not clearly attributable to Wulfstan	Loanwords
Derivatives: <i>griðlēas</i> Compounds: <i>cyricgrið, hādgrīð,</i> <i>hælnesgrið, handgrið,</i> <i>griðbryce, griðlagu</i>	Derivatives: <i>griðian?</i>	Derivatives: <i>griðian?*</i>

* *Friðlēas* should also be included in the list of Norse-derived vocabulary, as well as, probably, *frið* in LawIICn 13.

Table 8. Etymological interpretation of the *grið*-complexes
in Wulfstan’s texts

4.3 CONCLUSION

Like *lagu*, *grið* is fully integrated in Wulfstan’s idiolect. Its integration is attested by two factors:

(1) The members of the *grið* word-field have taken over an important part of the semantic field of ‘peace’ and ‘protection’, and have become semantically productive. Except when used in a few contexts where style is prioritized over lexical accuracy, *frið* and *grið* have different senses. *Frið* has given up some of the meanings which it had before the Anglo-Scandinavian linguistic contact, and is normally only applied when the concept of ‘peace’ has a general character. In contrast, *grið* has crossed over

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the semantic constraints with which it was originally borrowed. While still referring to a temporally restricted peace or protection, it is mainly associated with other restrictions, viz. the special nature of its grantor or its grantee. The meaning of *grīð* approaches that of *mund* when indicating the protection granted by a special entity. However, in Wulfstan's works *mund* refers mainly to the fine to be paid for the violation of someone's protection or peace, a meaning which *grīðbryce* has already acquired. Such acquisition may have been facilitated by the semantic proximity between the *frið*, *grīð* and *mund* word-fields and the pre-Wulfstanian usage of the members of the native word-fields. The *grīð* word-field does not establish a clear relational pattern with the *borg* word-field because the latter owes its use with the meaning 'protection' to 'constrained usage'.

(2) Semantic productivity is accompanied by lexical productivity, according to which several *hapax legomena* and some typically Wulfstanian terms are attested, both independently and as part of an 'echoing pair' of compounds.

CHAPTER 5

WULFSTAN'S NORSE-DERIVED LEGAL VOCABULARY III: REMAINING TERMS

5.1 WULFSTAN AND LAWIIcN 69–83

Before the remaining Norse-derived terms in Wulfstan's works can be studied, the problematic attribution of LawIIcN 69–83 to the archbishop needs to be examined. *II Cnut* seems to have been composed of different pieces of legislation assembled together. The clearest breach is introduced in LawIIcN 69, where the style changes from the third to the first person following the exposition of a 'mitigation' ('lihtinge') aimed at preventing abuses of lordship. Stafford (1982) has argued that LawIIcN 69–83 may represent a coronation charter issued by Cnut at the beginning of his reign; or specific commitments which Æthelred made after his return in 1014, and which would correspond to the supposedly lost secular decrees accompanying the extant version of *VIII Æthelred*. These possibilities need not be mutually exclusive, for Cnut could have borrowed these resolutions. Wormald (1999d:355–66) has given full support to the suggestion that LawIIcN 69–83 derives from a different code, although the exact circumstances in which it was composed are still uncertain.

Besides the nature of these chapters, much uncertainty lies in their actual connection with Wulfstan. Wormald's (1999d:364) scepticism about Wulfstan's authorship of LawIIcN 69–83 is validated by the wording of these decrees, which suggests that there existed an original text in which Wulfstan made several alterations and additions. In this respect, Wulfstan's treatment of *ÆLet* 2 and some of the texts belonging to the so-called 'compilation on status', such as *Norðleoda laga* (see below, 6.1), offers an extremely useful *comparandum*. That LawIIcN 69–83 might not be

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straightforwardly attributable to the archbishop is suggested by the following linguistic features:

- (1) LawIICn 70.1 includes a phrase and a compound otherwise not recorded in the Wulfstanian canon: (a) ‘rihte wife’ (‘lawful wife’) instead of *rihtēw*;¹ (b) ‘nehmagum’ (‘close relatives’) instead of *nȳdmæg*.²
- (2) Schwyter (2001) has shown that the conditional meaning of the conjunction *ðēah* in LawIICn 72.1 and 75 is an archaic retention. This usage presents a stage of polysemy for the conjunction in which the original conditional meaning (‘if’) would have been lost with a few exceptions, while the later concessive conditional and concessive meanings (‘even if’ and ‘although’, respectively) were most commonly used.³ Schwyter (2001:95) hypothesizes that Wulfstan may have employed an archaic feature to give these decrees a stronger sense of tradition. However, it is suspicious that this usage is recorded only in two passages of doubtful authorship.
- (3) LawIICn 75.2 includes the clause ‘swa swa lagan tæcean’ with an otherwise unrecorded use (as far as the archbishop’s works are concerned) of *lagu* as the subject of *tæcan* ‘to declare, teach’.⁴ One should remember

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1. The compound *rihtwif* is attested in LawIICn 54.1. However, its selection may have been determined by stylistic reasons because this decree relies on Conf 4 22.179–82, which includes the text ‘Se þe hafað æwe and eac cifese’ (‘He who has a lawful wife and also a concubine’). Thus, Wulfstan might have avoided the creation of a statement resembling a tongue-twister by replacing *ēw* with the compound at hand (cp. WÆLet 2 119).
 2. The phrase *nēah mæg* is recorded only once in the canon: whereas LawEGu 4.1 in Corpus 383 reads ‘gyf twegen gebroðra oððon twegen genydmagas wið an wif forlicgan’ (‘if two brothers or two close relatives commit fornication with the same woman’), the *Textus Roffensis* has ‘genyhe magas’ (‘close relatives’) instead of the typically Wulfstanian compound.
 3. On the importance of distinguishing between the concessive and conditional concessive meanings for the conjunction, see König (1985a:3–5 and 1985b:264–66), Dancygier (1988) and Kjellmer (1989). The purely conditional meaning of *ðēah* (*ðe*) is a matter of dispute, though: while it is accepted by some scholars (e.g. Burnham 1911:33; Quirk 1954:38–39; Liggings 1955: 387–88 and 1970:309; and König 1985b:271–72), Campbell (1956:66, note 2) and Mitchell (1985:§§3391 and 3674) deny it.
 4. ‘As the laws declare’.

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that, while the preference for *lagu* is one of Wulfstan's most characteristic linguistic traits, he was not the only Anglo-Saxon to use the term when referring to any secular law (see above, 3.1, and below, 8.1.1; cp. Keynes 1986:96, note 71).

(3) LawIICn 76.1b records the only use in the canon of the Old Norse loanword *bōnda* meaning 'husband, married man'. Wulfstan preferred the compound *rihtwer* (e.g. LawIICn 53) or the simplex *ceorl* (e.g. LawIICn 53; see below, 6.1.1.1) to express this meaning.

(4) *Grið* is used in LawIICn 82 with the same semantic constraints as in the Scandinavian codes, i.e. its validity is restricted to the period of travel to and from an assembly. The limitations with which Wulfstan tends to use this term are rather connected with the social status of the grantor or grantee (see above, Chapter 4).

Besides these non-Wulfstanian traits, there are some features which indicate that the archbishop may have included some modifications in these chapters:

(1) LawIICn 69 ends with 'ealles to swyðe' ('all too much'), his favourite emphatic adverbial phrase.

(2) LawIICn 72 improves the style of its source (LawIIIAtr 14) by adding some alterations much in Wulfstan's style. The original '7 se þe sitte uncwydd 7 uncrafod on his are on life, þæt nan mann on his yrfenuman ne spece æfter his dæge' is transformed into '7 þær se bonda sæt uncwydd 7 unbecrafod, sitte þæt wif 7 þa cild on þam ylcan unbesacen'.⁵ The modifications create a two-member parallel structure where the subject, verb and adverb are set in a chiasmus, whereas the past participles create a sense of semantic antistrophe.

(3) LawIICn 73.1 repeats LawVIAtr 26 = LawCn 1018 16.1 verbatim, and it seems to be an interpolation between the heading of LawIICn 73 and 73a.

(4) LawIICn 76.2–3 express the same disgust against the punishment of children for their parents' crimes as WHom 20.1 41–42 = WHom 20.2 47–48 = WHom 20.3 46–47. Wulfstan is likely to have included them in a chapter dealing with a wife's innocence regarding the crimes of her husband.

5. 'And if someone dwells undisturbed by charges and claims on his estates during his lifetime, no one shall bring an action against his heirs after his death', LawIIIAtr 14; 'and where a householder has dwelt free from claims and charges, [there] shall dwell his wife and children unmolested by litigation', LawIICn 72.

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(5) LawIICn 81 presents a similar stylistic improvement of an Æthelredian decree (LawIIIAtr 3) to LawIICn 72.⁶ LawIICn 81 contains three main alterations:

(5.a) The phrase ‘hlafordes rihtgyfu’ is used instead of ‘hlafordes gifu, þe he on riht age to gifanne’,⁷ a modification which can be associated with Wulfstan’s taste for *riht*-compounds (see above, 1.2) and the transformation of the wording in LawIIIAtr 1 into the compound *handgrið* (see above, section B under 4.1.1.2).

(5.b) The original ‘þæt stande, þæt hit nan man ne awende’ is replaced by ‘stande æfre unawend’.⁸ This modification is reminiscent of Wulfstan’s ‘stande efen unwemme’,⁹ a structure commonly used to refer to the importance of respecting the *cýricgrið* and the king’s *handgrið* (see above, Chapter 4).

(5.c) ‘Landcop’ (‘purchase of land’), ‘lahcop’ (‘purchase of legal rights’ or ‘legal purchase’), ‘witword’ (‘written evidence, will’) and ‘gewitnes’ (‘witness’) have been eliminated and ‘drincelean’ has been introduced instead; whether Wulfstan made this alteration himself or it was already present in his copy is difficult to know.

(6) LawIICn 83 contains the collocation *wyrdan lage* ‘to violate the law’, which is only recorded in the Wulfstanian canon and LawNorthu 66 (= LawVIAtr 50) (see above, Table 3).

According to the preceding exposition, the use of the following Norse-derived terms in this part of the code can be said to reflect ‘constrained usage’: *uncwydd*, *unbecrafod*, *eorl* in LawIICn 71a, *bōnda* in LawIICn 76.1b and *grið* in LawIICn 82. The use of *bōnda* in LawIICn 72 and 72.1 as well as *drincelēan* in LawIICn 81 is more difficult to interpret. Since they appear in what seem to be Wulfstan’s modifications of Æthelredian decrees, they are here considered to be attributable to him.

6. The relationship between the Æthelredian and the Cnutian decrees was noted by the drafter of the *Northumbrian Priests’ Law*, who combined the wording of the two decrees in LawNorthu 67.1.

7. ‘The lord’s legal gift’; ‘the lord’s gift which he has the right to give’.

8. ‘Shall be valid, so that no one may pervert [them], LawIIIAtr 3’; ‘shall always remain inviolate’, LawIICn 81.

9. ‘Are to remain equally inviolate’.

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Wulfstan's use of the remaining Norse-derived legal terms can now be presented. As explained in the introduction, given that Chapters 5 and 6 deal with many different word-fields, the terms analysed in these chapters are arranged according to their frequency in the canon.

5.2 THE NORSE-DERIVED TERM IS AS COMMON AS ITS NATIVE SYNONYMS

5.2.1 *COST*

While this loanword means 'choice' or 'option' in its first attestation in a law-code (viz. LawIIIATR 13.3), it is only recorded with the meaning 'condition' in the Wulfstanian corpus:¹⁰

And swa þeahhwæðere, gyf man for neode scyle gehadian
samlæredne, þe ealles to lytel cann, þonne do man þæt, gyf mycel
neod sy, þæs **costes**, ðe he him þæs borh finde, þæt he swa georne
æfter ðam leornian wylle, swa he æfre geornost mæge (WPol 6.1
[Jost] 16).¹¹

In Old Norse the phrase 'þess kostar' meant 'in this case, thus', whereas the sense 'on the condition (that)' required the use of a preposition ('at þeim kosti'), according to Zöega (1910:s.v. *kostr*). One may want to hypothesize that the use of the genitive instead of a prepositional phrase indicates that the term had been fully incorporated into the native morphosyntactic system, where the expression could have developed by analogy with other similar constructions where the genitive performs an adverbial function: cp. 'ðære

10. See Hofmann (1955:§315) on the possible omission of *cost* meaning 'alternative' from LawIICn 30, where it is decreed that, if someone is accused by three men at once, 'ðonne ne beo þær nan oðer, butan þæt he gange to ðam þryfealdan ordale'. Hofmann's view is shared by Robertson, who translates the passage as follows: 'no other course shall be open to him but to go to the triple ordeal' (1925:189).

11. 'And nevertheless, if someone must for necessity ordain a half-educated man, who knows all too little, then one shall do so, if there is great necessity, on condition that he finds surety for himself that he will learn afterwards as earnestly as ever he possibly can'.

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arædnisse toætedre, þæt' (Bede 4 4.274.9–10).¹² Nonetheless, the late date of the Scandinavian texts makes any definite assertion in this respect impossible because the genitive construction may have been common in Old Norse during the Viking Age.

Other than *gerædnes* (see above, 3.2.2), the Wulfstanian canon only records one synonym of *cost* meaning 'condition, stipulation' from the list suggested by *TOE* under 14.04.02 ('a stipulation'). This term is *forewyrð*, which appears in the next paragraph to that containing *cost*: 'to ðam forewyrðum, þe' (WPol 6.1 [Jost] 17).¹³ Despite the structural similarity between this expression and its Old Norse equivalent, there is no need to attribute it to foreign influence because similar constructions are also attested in *OEC* (e.g. 'to ðæm gerade, ðæt' in Rec 6.5 [Whitlock] 205.10 and S 1446 40–41).¹⁴

5.3 THE NORSE-DERIVED TERM IS LESS COMMON THAN ITS NATIVE SYNONYMS

5.3.1 *CYRICRĒN*

This term appears only once in the Wulfstanian corpus: '7 deoflice dæda on morðweorcum 7 on manslihtan [...] on freolsbricon 7 on fæstenbricon, on **cyricrenan** 7 on mæniges cynnes misdædan' (LawVIAtr 28.3).¹⁵ Besides the oddity of its form (see above, 2.3.4.1), the mere presence of *cyricrēn* in this context is fairly surprising because it does not appear in LawVAtr 25, which records a very similar list of crimes (see above, 3.2.3). However, slight differences in the list of crimes are not uncommon: e.g. the phrase 'on freolsbricon 7 on fæstenbricon' is recorded in the second version of *V Æthelred* included in the second part of Nero A.i (fos. 116^v–19^v), i.e. the

12. 'With the additional condition that'.

13. 'With the condition that'.

14. 'On condition that'.

15. 'And devilish deeds to do with murders and homicides, breaches of festivals and breaches of fasts, sacrilege, and misdeeds of many kinds'.

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version which Liebermann (1903–16) calls G^2 , but not in the first version of the code included in the same part of the manuscript. One is led to believe, together with Whitelock, that ‘it is likely that Wulfstan wrote this type of thing from memory’ (1976:63–64, note to lines 166–73).

Cyricrēn is best translated as ‘sacrilege’ (cp. Schwyter 1996:135). Although the identification is very tempting, the determinatum does not seem to be synonymous with the phrase *open ðýfð* because, while the former seems to refer to an open or public crime, *ðýfð* indicates one committed in secrecy (see above, 2.3.4.1). Among the terms quoted by *TOE* under 14.02.01.02.01 to indicate ‘open robbery, rapine, pillage’, the archbishop’s preference lies with the purely Wulfstanian *strūdung*, which is always used as one of the members of a ‘matching pair’ (e.g. LawVATR 24 = LawVIATR 28.2), and with *rēaflāc*, which normally collocates in his works with:

(1) a member of the *rýpan* ‘to spoil, plunder’ word-field (e.g. WHom 5 103);¹⁶

(2) other words starting in /r/ (e.g. WHom 20.3 180, where it appears next to ‘ricra’ [‘of the rich’]);

(3) other echoing complexes (e.g. LawIICn 47, where it echoes *feohtlāc* ‘fighting’ and *wīflāc* ‘cohabitation, fornication’).

In the cases mentioned in (1)–(2) (except when other members of the *rēaf* ‘plunder, booty’ word-field are selected, as in WHom 11 121–22), as well as in those contexts where there is no obvious stylistic reason for the preference of the native term over the loanword (e.g. ‘gif hwa reaflac gewyrce...’ in LawIICn 63),¹⁷ *r[ā/ē]n* could have been used instead without the style of the passage being jeopardized in any way.

5.3.2 *N[ā/æ]M*

This term also appears only once in the Wulfstanian corpus: ‘And ne nime nan man nane **n[a/æ]me** ne innan scire ne ut of scire, ær mann hæbbe þriwa on hundrede his rihtes gebeden’ (LawIICn 19).¹⁸ As explained above,

16. On the Wulfstanian collocation *rýpera rēaflāc*, see also Roberts (2000:240).

17. ‘If anyone commits robbery’.

18. ‘And no-one shall make distraint of property either in the shire or outside it, until he has demanded his rights three times in the hundred [court]’.

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2.3.4.1, its meaning here brings *n[ā/ǣ]m* closer to *borg*, *wedd* and *bād* than to *ætfeng*. The latter, like *ætfōn*, *befōn* and *gefōn*, refers to the attaching of goods, either by the rightful owner whose property is found in someone else's hands or by someone with authority. *Wedd*, *borg* and *bād* and the other members of their word-fields, on the other hand, refer to the guarantee which someone has to provide to support his case or to show his goodwill.

As far as the Wulfstanian corpus is concerned, *wedd*, *borg* and *n[ā/ǣ]m* appear to express slightly different concepts within the general semantic field of 'guarantees': *wedd* is a verbal pledge (e.g. LawVAtr 22.1 = LawVIAtr 28 = LawICn 19.1) or the property *handed over* as a pledge (e.g. LawVAtr 1), *borg* is the person who acts as surety for someone else (e.g. LawVIIIAtr 27 = LawICn 5.3), and *n[ā/ǣ]m* indicates the goods *taken* as security. From this perspective, *n[ā/ǣ]m* should rather be discussed under 5.4, the section dealing with Norse-derived terms for which a native equivalent is not recorded in Wulfstan's works. However, outside the Wulfstanian canon the other members of the lexical field frequently collocate with *niman* to indicate the *taking* of something as security (e.g. *niman* collocates with *inborh* in LawIIEw 3.1, with *bād* in LawDuns 3 and with *underwedd* in Gen 38.18). This suggests that Wulfstan's preference for *n[ā/ǣ]m* in LawIICn 19 may respond to the fact that only a noun related to *niman* / *nēman* can maintain the alliteration and contribute to the creation of a polyptoton. Thus, one has the feeling that other members of the lexical field could have been used if the stylistic constraints had been different (as is the case in LawVAtr 1, where the disjunctive conjunctions *ge ... ge* 'either ... or' coordinate *wedd* and *word*).

5.3.3 UNCWYDD AND UNBECRAFOD

As explained above, 5.1, the selection of the phrase 'uncwydd 7 unbecrafod' in LawIICn 72 has been prompted by the wording in LawIIIAtr 14. The structure where the phrase occurs is repeated here for clarity's sake: '7 þær se bonda sæt **uncwydd 7 unbecrafod**, sitte þæt wif 7 þa cild on þam ylcan unbesacen' (LawIICn 72).¹⁹ It has also been noted in 5.1 that the past

19. 'And where a householder has dwelt free from claims and charges, [there] shall dwell his wife and children unmolested by litigation'.

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participles enter into a relationship which could be described as semantic antistrophe.

The native *unbefliten* or *unbesprecen*, the other participles which *TOE* includes under 14.03.03 ('law, action of the courts') as synonyms of *uncwydd* meaning 'undisputed', could have been selected instead of *unbesacen* without any stylistic loss.²⁰ While the former are only recorded in charters and never in Wulfstan's works, *unbesacen* appears again in LawIICn 79, which may have been part of the original text on which LawIICn 69–83 seem to rely:

And se ðe land gewerod hæbbe on scire gewitnesse 7 se nolde oððe
ne mihte, þe hit ær ahte, hæbbe **unbesacen** on dæge 7 æfter dæge to
syllene 7 to gyfenne þam þe him leofost si.²¹

Other than *II Cnut*, *unbesacen* is only attested in charters.²² Wulfstan is said to have drafted a landbook in S 1460. This document as well as other charters which Wulfstan is likely to have drafted would have made him familiar with the language of this genre (see above, 1.1.1.2), and might have facilitated the 'constrained usage' of *unbesacen*.

20. The only two terms which *TOE* presents under 14.03.03 to indicate '(of a person) not subject to claims' are the past participles *uncrafod* / *unbecrafod*.

21. 'And he who has performed the obligations on a estate with the witness of the shire, and he who owned it before would not or could not, shall have it uncontested during his life, and after his death shall [have the right to] give and grant it to whomever he prefers'.

22. LawIICn 79 finds a very close parallel in the wording of S 1460 (1010 x 1023, 1023?). The latter is likely to have been drafted by a Worcester scribe because Whitelock (1976:11, note 4) points out that the name of the bishop of Hereford involved in the transaction has been mistaken. Thus, if the text is attributed a later rather than an earlier date, the scribe could have followed the wording from LawIICn 79 (or from the original which Wulfstan reworked). However, this case should not be pressed too far because the shared elements (cp. 'unbesacan to geofene 7 to syllanne ær dæge 7 æfter dæge sibban oððe fremdan þær him leofost wære' ['uncontested to give and grant them before or after his death to kinsmen or strangers, whichever he preferred'] in S 1460 6–8) might record a common formula which has only survived in these two documents (see below, 8.1.1).

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In LawIICn 72.1 ‘beclypod’ appears with the meaning ‘summoned, challenged, sued at law’, and this verb is also recorded in LawIICn 28.1 and 31. This has two implications: (1) there is nothing against connecting LawIICn 72.1 with the archbishop’s own language, and, consequently, accepting the use of *bōnda* as his own (see above, 5.1); (2) when ‘constrained usage’ is not an issue, the loans are not Wulfstan’s preferred terms to express the meaning ‘to summon someone to court’ or ‘to sue someone’.

5.3.4 *UNSAC*

As with *n[ā/ǣ]m*, the only occurrence of this adjective in the Wulfstanian canon is clearly determined by stylistic reasons: ‘7 be norðan stod seo unlagu, þæt man moste banweorc on **unsacne** secgan; 7 þæt scolde standan, gif hit wurðe swa gecyðed ydæges sona’ (LawVAtr 32.4, only in Corpus 201).²³ The structural parallelism between *unlagu* and *unsacne* makes the latter preferable over its synonym *saclēas* ‘innocent’, which would have maintained the alliteration and echoic effect developed between the adjective and *secgan* ‘to attribute to, declare’.

These aforementioned stylistic features may have been determinant in Wulfstan’s selection of *unsac* instead of any of the adjectives which *TOE* lists under 12.08.05 (‘innocence’) and 14.03.03.08 (‘justification’) with the meaning ‘innocent’ or ‘faultless, free from offence’; and, in particular, in Wulfstan’s avoidance in LawVAtr 32.4 of those adjectives which are much more common in his works, such as the purely Wulfstanian *unbealuful* (e.g. WHom 5 50), *unforworht* (e.g. LawVAtr 2.1 = LawVIAtr 6.9) and *unscyldig* (e.g. WHom 11 229).

23. ‘And in the north there existed the illegality that homicide could be brought up as a charge on an innocent person, and that [charge] was allowed to stand if it was announced at once on the same day’. Liebermann (1903–16:III, 171 and 174, note to LawVAtr 32) seems to believe that LawVAtr 32.2–5, which are missing from the other two versions of the text (see above, 5.3.1), are a later interpolation made during Cnut’s reign. Nonetheless, Wormald points out that the other two versions have been contaminated by the interpolation because they repeat the same point as LawVAtr 32.5 in LawVAtr 33, which is missing from Corpus 201. He concludes that ‘this is a good case-study in the impossibility of deciding which V Atr version is the more “original”’ (1999d:333, note 323).

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5.4 THE NORSE-DERIVED TERM DOES / MAY NOT HAVE A SYNONYM IN THE WULFSTANIAN CORPUS

5.4.1 *DRINCELEAN*

As far as the Wulfstanian canon is concerned, this compound is only recorded in LawIICn 81, which has been quoted under 2.3.4.4 and 5.1. As explained in the latter, this decree presents what is probably Wulfstan's reworking of LawIIIAtr 3, although it is not possible to establish whether the presence of the compound should be assigned to 'constrained usage'.

LawIICn 81 is the only context in Wulfstan's works where the concept expressed by *drincelean* is referred to, no matter which of its three possible meanings is assigned to it (i.e. 'reward for drink', 'entertainment given by a lord to his tenants', or 'gift of drink-money which may have marked the successful conclusion of a bargain'; see above, 2.3.4.4). Hence, not much insight can be gained into the other constructions which Wulfstan's 'active repertoire' might have contained to express this concept.

5.4.2 *HAMSÖCN*

This term is recorded four times in the Wulfstanian corpus, twice (or rather once in the original corpus and once in a later interpolation in LawIICn 62) as an endocentric compound referring to the crime of 'home-seeking' or attacking someone in his own house, and twice as an exocentric compound indicating the privilege to judge that crime, and to receive the fine to be paid for it.

The compound indicating the crime *per se* occurs in LawIICn 62:

Gif hwa **hamsocne** gewyrce, gebete þæt mid V pundan þam cingce on Engla lage (7 on Cent æt **hamsocne** V þam cingce 7 þreo þam arcebisceope), 7 Dena lage, swa hit ær stod.²⁴

24. 'If someone attacks someone else in his own house, [the attacker] shall make amends with five pounds [payable] to the king in the English law (and in Kent when attacking someone in his own house five pounds to the king and three to the archbishop) and in the law of the Danes according to what was established before'. The reference to the Kentish law appears only in Nero A.i. On its use in favour of attributing this part of the manuscript to Canterbury, see note 7 in Chapter 8.

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In this case the use of the loan-translation should be attributed to ‘constrained usage’ because the same word, albeit in a Latinized form (‘hamsocnam’), appears in LawIVatr 4.1, which Wormald (1999d:Table 5.4) gives as the source for the Cnutian decree.²⁵

It is difficult to know the exact nature of the crime described by *hāmsōcn*. The fines specified in LawIICn 62 associate this decree with LawIICn 58–58.1, where the same amounts are demanded when the king’s or the archbishop’s *borg* are violated. *Hāmsōcn* should also be associated with *hūsbyrce*, which appears in LawIICn 64. The distinction between these terms is not obvious from their context, but belongs rather to historical research. Therefore, the present work will not focus on it, but will simply present a summary of the different views on this matter. Brunner (1906–28:II, 651), followed by Robertson (1925:358, note to LawIICn 64), claims that the distinction may lie in that *hūsbyrce* involved the destruction or damage of the house itself. Steenstrup (1882:350), on the other hand, refuses the connection between *hūsbyrce* and the Latin phrase *destructio domus* ‘destruction of the house’, preferring to attribute the difference between these terms to the fact that *hūsbyrce* would be a more serious crime in which manslaughter or injury would be involved. Colman (1981 and 1985) argues that these two words may simply involve a temporary variation in terminology resulting from the Danish conquest (the term which surfaces in the legal literature of the post-Conquest period is *hāmsōcn*). *TOE* does not hint at any relationship between these terms: while *hāmsōcn* is included under 14.02.01.01 (‘types of crime’) and is translated as ‘forcible entry into a man’s house’, *hūsbyrce* is included under 14.02.01.02 (‘wrongful taking, theft’) and is translated as ‘housebreaking, burglary’.

The other two occurrences of the compound can be found in LawIICn 12 and 15, which have been discussed in Chapter 4 (see above, 4.1.2.2). That the wording in LawIIEm 6 may lie behind the coordination of *hāmsōcn* with *mundbyrce* in LawIICn 15 has already been suggested under 4.1.2.2. In the same section the connection between these decrees and S 986, the first of a long list of charters from the Old and early Middle English periods containing a similar list of privileges, has also been referred to (see further below, 8.1.2). *II Cnut* may record the first uses of *hāmsōcn* as an exocentric

25. The term *hāmfaru*, which *TOE* (14.02.01.01) presents as a synonym of *hāmsōcn*, is only recorded in LawHn 80.11a.

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compound because three of the documents containing this noun which purport to date from the reigns of Alfred, Edmund and Edgar (S 357, S 499 and S 783) are generally considered to be spurious.²⁶

5.5 CONCLUSION

The following table summarizes the analysis presented in this chapter. It organizes Wulfstan's Norse-derived terms according to their nature and the reasons for their selection.

Freely selected terms		Terms selected following 'constrained usage'
Terms '(re)generated' by Wulfstan	Loanwords, loan-translations and semantic loans	New-formations not clearly attributable to Wulfstan and loan-translations
Derivatives: <i>unsac</i> Compounds: <i>cyricrēn</i>	Simplexes: <i>cost, n[ā/æ]m</i> Compounds: <i>hāmsōcn, drincelēan?</i>	Derivatives: <i>uncwydd, unbecrafod</i> Compounds: <i>hāmsōcn, drincelēan?</i>

Table 9. Etymological interpretation of the remaining Norse-derived legal terms in Wulfstan's texts

The terms discussed in this chapter differ greatly from *lagu* and *grið* as regards the number of their occurrences, their temporal distribution and, as far as some of them are concerned, the degree of familiarity which Wulfstan shows towards them because

- (1) they occur on very few occasions, and often following stylistic constraints or 'constrained usage';
- (2) they tend to appear mainly in Wulfstan's later works;

26. See *Electronic Sawyer* nos. 357, 499 and S 783.

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(3) the members of their word-fields recorded in the Wulfstanian canon are much less numerous, a fact which is closely connected with those mentioned in (1) because they have fewer opportunities to occur.

However, Wulfstan's creativity may be reflected in the fact that two complexes, viz. *cyricrēn* and *unsac*, are not recorded outside his works, and may be attributable to his capacity for linguistic '(re)generation'. Notably, this creativity involves the two terms which are less common than their native synonyms in the archbishop's work. In this respect, they can be compared with the use of *ðræl* in the Wulfstanian canon because, despite being used less frequently than the members of the *ðēow* 'slave, servant' word-field, it also participates in word-formation processes (see below, 6.1.2.1).

Participation in word-formation processes may then be more revealing than the number of occurrences in the canon. Accordingly, *r[ā/ē]n* and *unsac* (and, through the latter, the *sac* word-field) could be included in the list of terms which have reached the last stage in the process of integration followed by loans. That may also be the situation of *hāmsōcn* because Wulfstan uses it both as an endocentric and exocentric compound. Regarding the remaining terms, viz. *cost*, *n[ā/ē]m*, *uncwydd*, *unbecrafod* and *drincelēan*, there are no reasons to place them any further than the second stage of linguistic integration. Their use simply shows that Wulfstan was familiar with the legal terminology expected of him.

CHAPTER 6

OTHER NORSE-DERIVED TECHNICAL TERMS IN WULFSTAN'S WORKS

6.1 TERMS INDICATING SOCIAL STATUS

Wulfstan's concern with social status is a well-known matter. Not only did he assemble and rework what Whitelock calls a private 'compilation on status' (1979:no. 51), viz. *Geþyncðo*, *Norðleoda laga*, *Mircna laga*, *Hadbot* and *Að*, but he also expressed his disgust for the disregard of proper social order: e.g. WHom 20.2 98–105 = WHom 20.3 101–109 present his criticism against the promotion of the rights of a thrall to the detriment of those of a thegn (see below, 6.1.2.1). Therefore, this is another interesting semantic field for the study of the integration of Scandinavian terms in his vocabulary.

6.1.1 THE NORSE-DERIVED TERM IS MORE COMMON THAN ITS NATIVE SYNONYMS

Among the four Norse-derived terms indicating social status which Wulfstan used in his works, two of them are more common than their native equivalents. However, one should bear in mind that the predominance of the first term discussed under this section over its native synonym can only be tentatively established.

6.1.1.1 BÖNDA

Larson (1935:416) explains that ON *bóndi*, besides meaning 'male partner, husband', was a general term for any free householder who was not attached to the service of the king, the bishop or any other man. However, it

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commonly applied more specifically to the free farmer (not of the *hōldr* class) who held land by right of lease or purchase. Von See (1964:193–94) highlights the fact that, from a legal perspective, it is most commonly used in Denmark and Sweden in the sense of MnE *citizen*, i.e. the free member of the political society (e.g. JL I.41 and ESjL II.28), whereas *lōgnautr* is the preferred term to express that concept in Norway (e.g. Frost. XVI.1).

The occurrences in the Wulfstanian canon mirror those in Scandinavia, as the term appears with a wide range of meanings:

(1) As a term of social status indicating a freeman of a low class, i.e. a *ceorl*: e.g. ‘7 gif hwa þis ne gelæste, ðonne gebete he þæt, swa swa hit gelagod is: **bunda** mid XXX pænigum, þræl mid his hide, þegn mid XXX scillingum’ (LawVIIaAtr 3; cp. Nap 35 172.3–6).¹ LawVIIaAtr 2.4 translates ‘bunda’ as ‘liber pauper’ (‘poor free man’) in a context where the same fines are specified for the breach of fasting.²

(2) Referring to any householder, free peasant:

Wutan eac ealle ymbe friþes bote 7 ymbe feos bote smeagean swyðe georne: swa ymbe friþes bote, swa þam **bondan** sy selost 7 þam þeofan sy lāpost (LawVIaAtr 31–32 = LawCn 1018 20–20.1 = Nap 50 271.31–272.2 = LawIICn 8).³
7 þær se **bonda** sæt uncwydd 7 unbecrafod, sitte þæt wif 7 þa cild on þam ylcan unbesacen (LawIICn 72).⁴

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1. ‘And if someone does not render this, he shall make amends as has been established by law: a freeman with thirty pence, a slave with his flesh, and a thegn with thirty shillings’.
 2. As noted by Steenstrup (1882:99–100), this example should be associated with a later development of the meaning of the term. Through folk etymology it became associated with OE *bunden*, the past participle of *bindan* ‘to tie, bind’ (cp. Vinogradoff 1908:420). Thus, it is commonly recorded in Middle English texts with the meanings ‘a serf or servant’ and ‘a vassal or retainer’ (see *MED*, s.v. *bōnde* n.1, senses 3 and 4).
 3. ‘Let us all also reflect very earnestly on the improvement of security, and the improvement of coinage, improvement of security as may be best for the householder and worst for the thief’.
 4. ‘And where a householder has dwelt free from claims and charges, [there] shall dwell his wife and children unmolested by litigation’.

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And gif se **bonda**, ær he dead wære, beclypod, þonne andwyrðan þa
yrfenuman, swa he sylf sceolde, þeah he lif hæfde (LawIICn 72.1).⁵

(3) Referring to a husband: ‘7 ne mæg nan wif hyre **bondan** forbeodan, þæt he ne mote into his coton gelogian þæt þæt he wylle’ (LawIICn 76.1b).⁶

The use of *bōnda* in LawVIATR 31–32 = LawCn 1018 20.1 = Nap 50 271.31–272.2 = LawIICn 8 is particularly interesting because, as in East Scandinavian laws, the free peasant proprietor is taken as the normal person to benefit from the law (cp. Steenstrup 1882:97; and Whitelock 1979:455, note 6).

Two possible changes could be identified in Wulfstan’s treatment of this word. Firstly, the indication of a position within the social scale has been blurred in *II Cnut*.⁷ Secondly, the later years of his career see an important increase in its use instead of the native *ceorl*. Admittedly, this interpretation depends on the acceptance that the use of the term in LawIICn 72 and 72.1 should be attributed to him and not merely to ‘constrained usage’ (see above, 5.1 and 5.3.3).

Ceorl is the native term which covers most of the meanings represented by *bōnda*, as its inclusion by *TOE* in 04.02.02 (‘farmer, cultivator’), 12.01.01.10 (‘freedom, being free’), 12.01.01.11 (‘the common people’) and 12.09 (‘marriage, state of marriage’) suggests.⁸ The increase in use of the

5. ‘And if the householder had been cited before his death, then his heirs shall answer the charge, as he himself would have done, if he had been alive’. *DOE* (s.v. *bōnda*, sense 2) associates this context with the meaning ‘husband’ rather than ‘free peasant’. It is here included under (2) rather than (3) because the term seems to be associated with the legal world, rather than with the world of interpersonal relationships. Robertson (1925:211) and Whitelock (1979:465) also appear to have interpreted it this way: they translate the term as ‘householder’, whereas the translation for the same term in LawIICn 76.1b is ‘husband’. Similarly, Liebermann (1903–16:I, 359) translates it as ‘freie Hausvater’ (‘free householder’).

6. ‘But no wife can forbid her husband to put in his cottage what he wants to’.

7. This may be the reason why this word is not mentioned by most scholars dealing with the social structure in Anglo-Saxon England, e.g. Chadwick (1905:Chapters 3 and 4), Stenton (1971:470–523), Loyn (1992) and Hadley (2000:Chapter 4).

8. For a more detailed study of *ceorl* (in particular, as opposed to *gebūr* ‘freeholder of the lowest class’), see Schabram (1975:80–88). On the polysemy of OE *ceorl*, see

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loanword is only appreciated in the semantic sphere of social status because the native term is still preferred over *bōnda* in later texts when the intended meaning is ‘husband, man who cohabits with a woman’ (WHom 20.1 38 = WHom 20.2 45 = WHom 20.3 43, Nap 50 269.29, LawIICn 53).⁹ Thus, as explained above, 5.1, the selection of the loanword in LawIICn 76.1b may be best interpreted as a result of ‘constrained usage’. However, it is not clear whether *ceorl* was ever Wulfstan’s preferred term because it normally appears echoing *eorl* (e.g. LawGepyncðo 1, LawGrið 21.2 = WPol 6.2 137; see below, 6.1.1.2), or in parts of the ‘compilation on status’ which cannot be clearly assigned to him (e.g. LawMirce 1, LawAð 1). The only exception is LawGepyncðo 2, where its selection should be associated with its appearance in LawGepyncðo 1. Thus, most of the uses of *ceorl* respond to style or ‘constrained usage’ (cp. *ealdormann*; see below, 6.1.1.2).

6.1.1.2 THE EORL WORD-FIELD

While attempting to date *The Battle of Maldon*, McKinnell (1975:122–27) and Clark (1983:2–3) have studied the semantic evolution of the borrowed meaning of *eorl* in Old English. They agree that *eorl* as an official title equivalent to the native *ealdormann* was not applied to provincial governors in general until Cnut’s reign, although it was often used for leading men from the Danelaw during the tenth century. This change in terminology followed Cnut’s division of the country in four parts, each under the control of an *eorl*, in 1017 (see ChronC [O’Brien O’Keeffe] 1017 = ChronD [Cubbin] 1017 = ChronE [Irvine] 1017). Whereas McKinnell (1975) does not distinguish between this restricted sense and the more general sense ‘leader’, Clark (1983) does. She argues that the wider sense of *eorl* can also be found in texts dating from Æthelred’s reign, such as the Wulfstanian compositions.

also Charles-Edwards (1972:10). On the later process of semantic pejoration undergone by the term, see Rinelli (2003).

9. On the increasing use of (*hūs*)*bōnda* and its Middle English reflex at the expense of *wer* ‘man, husband’ and *ceorl* to express the meaning ‘husband’, see Riedinger (1994).

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Before Clark, Whitelock (1965:226) had already noted that Wulfstan's usage departs from the norm in that he only uses *ealdormann* when 'constrained usage' is at work:

(1) LawIICn 18.1 repeats LawIIIEg 5.2 verbatim, while LawGrið 11 and LawIICn 58.2 rely on LawAf 3 (see above, 3.2.5.1, 4.1.2.1 and 4.1.3).

(2) LawGrið 4–5 is a clear reference to LawIVAs 6.1–2:

gyf feorhscyldig man cyning gesohte, arcebiscop oððon æþeling,
þone ahte he nigon nihta grið feore to gebeorge, butan him se cyng
rumran fyrstes geunnan wolde (LawGrið 4).¹⁰

7 gyf he gesohte leodbiscop oððe **ealdorman** oððon healicne
heafodstede, þonne ahte he VII nihta grið, butan man leng geunnan
wolde (LawGrið 5).¹¹

we gecwædon at Ðunresfelda on þæm gemote, gif hwilc þeof oððe
reafere gesohte þone cing oþþe hwylce cyrican 7 ðone biscop, þæt
he hæbbe nigon nihta fyrst (LawIVAs 6.1).¹²

7 gif he **ealdorman** oððe abbud oþþe ðegn sece, hæbbe ðreora nihta
fyrst (LawIVAs 6.2).¹³

(3) LawGrið 12 follows LawAf 15:

gyf beforan oðran biscepe oððe **ealdormen** þis gelimpe, mid C
scillingum gebete (LawGrið 12).¹⁴

10. 'If a man who had forfeited his life sought the king, an archbishop or an atheling, then he had a truce of nine nights to save his life unless the king was willing to grant him a longer period'.

11. 'And if he sought a suffragan bishop or an ealdorman, or an exalted chief place, then he had a truce of seven nights unless a longer period were granted to him'.

12. 'We declared in the council at Thundersfield that, if any thief or robber fled to the king, or to any church and to the bishop, he should have a period of nine nights'.

13. 'If he flees to an ealdorman, or an abbot or a thegn, he shall have a period of three nights'.

14. 'If this should happen in the presence of another bishop or an ealdorman, he shall make amends with a hundred shillings'.

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gif beforan oðrum biscepe oððe **ealdormen** ðis gelimpe, mid hundteontegum scillingum gebete (LawAf 15).¹⁵

- (4) As is the case with the uses of *ceorl* on its own (see above, 6.1.1.1), the occurrence of *ealdormann* in LawNorðleod 3 should probably be attributed to its presence in the original text which Wulfstan used for his compilation.
- (5) LawCn 1020 8 records the native term in a passage which does not have a known parallel, but its use may also be attributed to its presence in the original version of the letter (see above, 1.1.1.2).

Outside those contexts where wording is influenced by ‘constrained usage’, *eorl* has taken over in Wulfstan’s ‘active repertoire’. Its contexts in the Wulfstanian canon can be divided into the following groups:

- (1) Those contexts which exemplify the points on which McKinnell (1975) and Clark (1983) agree:

(1.a) In ChronD (Cubbin) 959.7 = ChronE (Irvine) 959.9, as in LawGepyncðo 1 (see below), *eorl* still appears to have the native poetic meaning ‘nobleman’ in the clause ‘cýningas and **eorlas** georne him to bugan’,¹⁶ which Whitelock et al. (1965:75, note 10) and Whitelock (1979:225, note 4) associate with Ælfric’s translation of the Book of Judges.¹⁷

(1.b) In the pre-Cnutian LawEGu 12 *eorl* means ‘provincial governor’, but this text is associated with Danelaw areas (see above, 1.1.1.2).

(1.c) *Eorl* meaning ‘provincial governor’ is explicitly associated with the areas under English law in Cnutian legislation: e.g. ‘And se ðe rihte lage 7 rihtne dom forsace, beo he scyldig [...] wið **eorl** LX scyllinga [...] on Engla lage’ (LawCn 1018 26–26.4 = LawIICn 15.2).¹⁸

- (2) Those contexts which *may* support Clark’s (1983) case: in the coordination of *eorl* and *heretoga* ‘commander, chieftain’, which Clark

15. ‘If this should happen in the presence of another bishop or an ealdorman, he shall make amends with a hundred shillings’.

16. ‘Kings and noblemen earnestly submitted to him’.

17. See Crawford (1969:475). Crouch (1992:47) would also like to identify the influence of ON *jarl* in this context.

18. ‘And he who rejects just law and just judgement shall forfeit 40 shillings to the earl in English law’.

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(1983) selects as the basis of her argument, *eorl* bears the general newly acquired sense ‘leader’, without any geographic specification. This coordination is recorded in WPol 2.1.1 (Jost) 41 and WPol 2.1.2 (Jost) 57 = WPol 2.1.1 (Jost) 85, as well as in Nap 50 267.25. As indicated above, 1.1.2, *Nap 50* seems to belong to Cnut’s reign, but the *Polity* context cannot be as easily dated, the only clue being that this work was most probably started after 1008 or 1010 (cp. Wormald 2004:26). Therefore, Clark’s selection of this text as clearly belonging to Æthelred’s reign may not be very fortunate because there is no definite evidence against it having been started during Cnut’s reign.

(3) Those contexts where neither Clark’s (1983) nor McKinnell’s (1975) description *may* be appropriate because *eorl* seems to refer to an official rather than to a mere leader:

(3.a) As explained above, 6.1.1, *eorl* is coordinated with *ceorl* in different contexts of the canon.¹⁹ In LawGepyncðo 1 (‘7 þa wæron þeodwitan wurðscipes wurðe, ælc be his mæðe, ge **eorl** ge ceorl, ge þegen ge þeoden’),²⁰ as in previous texts (viz. LawAf 1 and LawVIAs 0.2), *eorl* does not bear the meaning borrowed from its Old Norse cognate, but its archaic meaning ‘nobleman’ (cp. Whitelock 1979:468, note 6). The presence of the coordination ‘leod 7 lagu’ and the extension of the previously recorded coordinated formula with a new ‘echoing pair’ of terms make Wulfstan’s authorship behind this decree very likely. However, it is not here where his creativity is most freely expressed. This happens rather in LawGrið 21.2 = WPol 6.2 (Jost) 137 (‘þurh Godes gyfe þræl wearð to ðegene 7 ceorl wearð to **eorle**, sangere to sacerde 7 bocere to biscpe’),²¹ where the well-established formula is transformed into a verbal representation of the social ladder.²² *Eorl* in this case could be

19. On the formulaic character of the union of *ceorl* and *eorl*, see Bredehoft (2005:217 and 226).

20. ‘Councillors of the people were then entitled to honour, each according to his dignity, whether a nobleman or a freeman of the lowest class, a retainer or a lord’.

21. ‘Through God’s gift a thrall became a thegn, and a freeman of the lowest class became an earl [/ nobleman?], a singer a priest, and a scribe a bishop’.

22. On the historical accuracy of this statement, see Runciman (1984:15 and 22) and F.M. Stenton, who concludes that ‘prosperity was possible to some ceorls despite the

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assigned different layers of meaning. It could retain the archaic meaning ‘nobleman’, expected from its collocation with *ceorl*, but the newly developed meaning ‘high-rank official’, which is not completely dissociated from the former, is also very appropriate (see below, 6.1.2.1).²³ The identification of the second meaning in this context may be supported by WPol 6.2 (Jost) 135, where the possibility of a thegn becoming an earl is discussed, and where there is little doubt that the terms should be understood as bearing their technical social meaning: ‘And la, oft hit getimað, þæt þeowetlingc geearnað freotes æt ceorle, and ceorl wyrð þurh **eorlgife** þegenlage wyrðe, and þegn wurð þurh cynincges gife **eorldomes** wyrðe’.²⁴

(3.b) If *Gepyncðo* is attributed to a similar period in Wulfstan’s life as the other texts in his ‘compilation on status’ (see above, 1.1.2), Law*Gepyncðo* 5 could also be included in this category. Like WPol 6.2 (Jost) 135, it refers to the step up the social ladder from thegn to earl: ‘gif þegen gepeah, þæt he wearð to **eorle**, þonne wæs he syððan **eorlrihtes** weorðe’.²⁵ The attribution of this decree, as well as Law*Gepyncðo* 6, to Wulfstan is somewhat problematic because they are only recorded in the *Textus Roffensis*, not in Corpus 201. Nonetheless, Law*Gepyncðo* 6 includes the purely Wulfstanian compound *ðegnriht*. If this compound is associated with *eorlriht*, which has every appearance of being a Wulfstanian ‘(re)generation’ (cp. *ðrælriht*, see above, 3.2.5.3, and below,

grievous fate of many’ (1970b:393). On the promotion of royal scribes, many of whom would have been royal priests, to bishops, see Keynes (1988:192 and 195).

23. Liebermann (1903–16:I, 472) seems to support the interpretation of *eorl* as ‘nobleman’, but does not discard the possibility that it may refer to an official title; he translates the term as ‘Adlige [Graf?]’ (‘nobleman [earl?]’). Jost (1959a:275) only offers the second possibility, i.e. ‘Graf’.
24. ‘And lo, it often happens that a slave earns his freedom from a freeman of the lowest class, and a freeman of the lowest class becomes entitled to the rights of a thegn through an earl’s gift, and a thegn becomes entitled of the status of an earl through a king’s gift’.
25. ‘And if a thegn prospered so that he became an earl, then he was afterwards entitled to the rights of an earl’.

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6.1.2.1), Liebermann's (1903–16:III, 259) and Wormald's (1999d:393) decision to assign these decrees to the archbishop seems very adequate.

Regarding the etymology of the *eorl*-compounds, while it is very tempting to analyse *eorlgyfu* 'gift of an earl' and *eorlriht* 'rights of an earl' as new-formations by the archbishop because they are not otherwise attested, and both are one of the members of an 'echoing pair', it is more difficult to decide on the nature of *eorldōm* 'status of an earl'. Outside the Wulfstanian corpus, it is also recorded in *OEC* in later entries of the *Anglo-Saxon Chronicle* (e.g. ChronC [O'Brien O'Keefe] 1052.47 = ChronD [Cubbin] 1052.2.54). Thus, it could be an English new-formation following the same type as *ðēowdōm* 'slavery, service' or a loan-translation of ON *jarldóm* 'earldom'. The two options need not be irreconcilable because the existence of a native type may have facilitated the creation of a loan-translation.

6.1.2 THE NORSE-DERIVED TERM IS LESS COMMON THAN ITS NATIVE SYNONYMS

6.1.2.1 THE ÐRÆL WORD-FIELD

Pelteret (1995:41–42) explains that the main Old English word to refer to a slave is *ðēow*. Its word-field is widely developed to account for the different aspects of that condition.²⁶ It is not surprising then that these are the terms which Wulfstan uses most commonly in his legal texts when referring to a slave.²⁷ This may partially respond to the fact that the presence of the diphthong /e:o/ in the root of the simplex, the derivatives and the determinant of the compounds allows him to differentiate between servitude and freedom by creating echoic contrasts between the members of the *ðēow*

26. This word-field accounts for almost 44.5% (20/45) of the terms presented by *TOE* under 12.01.01.09 ('bondage, slavery'). From the terms listed by *TOE* which could mean 'slave', Wulfstan's works only include those belonging to the *ðēow* word-field and *ðræl*.

27. In this respect, Pelteret's assertion that 'when he [Wulfstan] refers to a person whose legal status is that of a slave, however, he employs the word *þræl* [sic]' (1991:183) is not fully accurate.

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and *frēo* ‘free’ word-fields. Within this framework, further reasons can be given for the choice of a specific member of the *ðēow* word-field:

(1) Stylistic reasons:

(1.a) Phonetic parallelism: in WPol 6.2 (Jost) 135 the simplex *ðēow* would have maintained the effect derived from the repetition of three nouns with a root containing the diphthong /e(:)o/, viz. a member of the *ðēow* word-field, *frēot* ‘freedom’ and *ceorl*. However, the derivative *ðēowetling* ‘servant, slave’ (see further below) is chosen instead because its phonetic structure is closer to *frēot* (cp. LawIICn 68.1b). In LawIICn 20.1 the simplex (declined as an adjective) is chosen to create a homoiopoton with ‘frigne’ (‘free’) in the alternative ‘swa for frigne swa for ðeowne’.²⁸

(1.b) Structural parallelism: the presence of *frīgmann* ‘freeman’ favours the use of *ðēowmann* ‘slave’ instead of *ðēow* in LawEGu 7 and 8, as well as in LawIICn 45.1–2 and 46–46.2. The simplex reappears in LawEGu 7.2 next to *frēolsdæg* ‘feast-day, festival day’, where there is no possibility of creating an ‘echoing pair’ of compounds.

(2) Semantic reasons: as already noted by Pelteret, in the Wulfstanian corpus *ðēowetling* normally implies a certain ‘weakness arising out of the legal condition of slavery’ (1995:310), which suggests an attitude of pity by the speaker: e.g. LawVIIIatr 6 refers to ‘Godes þearfum 7 earman þeowetlingan’,²⁹ and WPol 2.1.2 (Jost) 59 = WPol 2.1.1 (Jost) 87 urge earls to ‘þearfena helpan and þeowetlingan beorgan’.³⁰

(3) ‘Constrained usage’: the selection of *ðēowmann* in LawIICn 32 is determined by its presence in LawIatr 2, the source of the Cnutian decree.

Pelteret (1991:183–84 and 1995:317) is very keen to emphasize that, in Wulfstan’s idiolect, *ðræl* appears to have acquired a pejorative connotation

28. ‘Either as a freeman or a slave’.

29. ‘God’s poor and wretched slaves’.

30. ‘Help the poor and protect [wretched] slaves’.

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which is not as evident among the members of the *ðēow* word-field.³¹ This interpretation relies on one context:

And swa gerade manswican þe on ða wisan swæslice swiciað oftost
on unriht 7 þurh þæt deriað for Gode 7 for worulde, þæt syndan
forbodað 7 Antecristes **þrælas** þe his weg rymað, þeah hy swa ne
wenan (WHom 9 125–28).³²

Although the context may support Pelteret's view, there are other factors which could have prompted Wulfstan to select the loanword, as the lines below show.

The relationship between Humanity and God or the Devil is commonly described in Old English texts in servile terms through imagery drawn from social stratification, as highlighted by Pelteret (1995:68–70). Thus, Wulfstan

31. Pelteret's view is echoed by Magennis (1998:158), who claims that *ðræl* has a 'greater sense of ignominy' than *ðēow* in both Wulfstanian and non-Wulfstanian compositions. Magennis's statement draws on Girsch's (1994:9) claim that *ðræl* is only recorded twice in *OEC* in collocations expressing metaphorical slavery, both of them 'negatively charged'. One of them is the context from *WHom* 9 quoted here. The other context is JnGl (Li) 8.34 = JnGl (Ru) 8.34, where *L servus ... peccati* '[slave] of sin' is rendered as *ðræl... synnes*. Two comments can be made in this respect. Firstly, Girsch's (and hence Magennis's) analysis may not be fully accurate. In the glosses to the Lindisfarne and Rushworth Gospels, *ðræl* is the term chosen to render *L servus* in Christ's message to his disciples that 'quicumque voluerit in vobis primus esse, erit omnium servus' ('and whosoever will be first among you shall be [slave] of all') (Mark 10.44; MkGl [Li] 10.44 = MkGl [Ru] 10.44). This context, which is also included by Darton (1976:s.v. *slave-serve-minister* 3.3) amongst those where slavery should be interpreted figuratively, puts the ignominy suggested for the loanword into question. If *ðræl* is indeed tinted with infamy or dishonour, its selection here is somewhat puzzling because it is very difficult to associate this context with any negative connotations. Secondly, and closely related to the first point, Aldred uses *ðræl* regularly, while *ðēow* is not common in his glosses (see Pons-Sanz 2000:100–01 and 125). It is therefore not surprising that he selects the Norse-derived term in both literal and metaphorical contexts.

32. 'And deceivers of this sort, who in this manner are treacherous with a pleasant demeanour most often unlawfully and through that do harm before God and before the world, those [deceivers] are messengers and slaves of the Antichrist who prepare his way, though they do not think so'.

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explains that we are all ‘Godes agene nydþeowan’ (LawEpisc 14).³³ However, it is clear from biblical and Patristic sources that the nature of the relationship varies according to the lord one serves. St Paul explains in Romans 6.22 that those who are not slaves of Sin ‘become [slaves] to God’,³⁴ a state which offers holiness and everlasting life as the reward (cp. John 8.34–36). Furthermore, Galatians 4.7 explains that, when one receives the Spirit of God’s Son into his heart, ‘he is not a [slave], but a son. And if a son, an heir also through God’.³⁵

The association between bondage to God and freedom, and therefore the integration of this relationship into the wider area of ‘service’ is suggested in Old English by the alternation of the *ðēow* and *ðegn* word-fields (cp. Girsch 1994:43 and Magennis 1998:169). The members of the *ðegn* word-

33. ‘God’s own slaves’.

34. ‘Servi autem facti Deo’.

35. ‘Non es servus sed filius quod si filius et heres per Deum’. The version published by the English College of Rheims (1797) and the King James version (see Norton 2005) have ‘servant’ instead of ‘slave’ in all these contexts. Pelteret explains that it is because of such translations that ‘the word “slave” has been replaced in modern christian [sic] religious discourse by “servant”’. ‘Yet’, Pelteret continues, ‘the antecedent Hebrew, Greek, Latin and Old English versions of the Bible were unambiguous in their use of the legal status word “slave”’ (1995:68; cp. Vogt 1974:146–47). This statement may be true with regard to Gr. δοῦλος ‘born bondman or slave [...] then, generally, bondman, slave’ (the meanings of Greek terms are those presented by Liddell & Scott 1996). However, this is not the case with Heb. *‘eḥēd*, L *servus* and OE *ðēow*. Botterweck et al. explain that ‘[t]he subst. *‘eḥēd* refers to a person who is subordinated to someone else. This subordination can manifest itself in various ways, and *‘eḥēd*, accordingly, can have different meanings: slave [e.g. Exodus 21.20], servant, subject [e.g. 1 Kings 20.9], official [e.g. 2 Samuel 9.2], vassal [e.g. 2 Kings 16.7], “servant” or follower of a particular god [e.g. Psalm 119]’ (1974–s.v. *‘abad*, *‘eḥēd*, *abōdâ*, i.e. X, 376–405). Similarly, L *servus* could mean ‘servant’ and ‘slave’. The ambiguity of the Old English term is discussed in this section. That those who serve God should be understood as ‘slaves of God’ rather than ‘servants of God’ is suggested by the fact that the Greek version of the Bible uses members of the δοῦλος word-field when referring, for instance, to Christ’s own humility when becoming man (Philippians 2.7), to Mary’s relationship towards God in the Annunciation (Luke 1.38) and to the relationship which human beings have with God in Romans 6.22 and Galatians 4.7. On the concept of the *slaves of God*, see further Darton (1976:s.v. *slave-serve-minister*) and Vogt (1974:Chapter 8).

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field are not commonly associated with the semantic field of ‘slavery’, as their absence from section 12.01.01.09 (‘bondage, slavery’) in *TOE* indicates. Admittedly, in the tenth-century Northumbrian dialect of Aldred the glossator *ðegn* could mean ‘slave’ or rather ‘young slave’, *ðegn* being a cognate of Gr. τέκνον ‘child, son’ (cp. L *puer* ‘male child, boy’ and ‘servant, slave’). Nonetheless, Pelteret (1995:304) notes that, even in that dialect, this sense appears to have been on the decline because of an alternative specialized sense which became common in late Old English, viz. ‘retainer, a freeman who serves a noble or a king’.³⁶

Pelteret (1995:42) himself points out that *ðēowdōm* and *ðēowian* have, by Wulfstan’s time, lost the legal sense associated with slavery, and can refer to the broader idea of service. Accordingly, they can be used as synonyms of a member of the *ðegn* word-field:

We lærað þæt Godes þeowas beon geornlice Gode **þeowigende** and **þenigende** and for eall cristen folc þingigende (WCan 1)³⁷

We lærað þæt preostas cirican healdan mid ealre arwurðnesse to godcundre **þenunge** and to clænan **þeowdome**, and to nanum oðrum þingum (WCan 26)³⁸

The two aforementioned members of the *ðēow* word-field are not the only ones to be coordinated with the *ðegn* word-field to indicate the broader concept ‘service’, though:

fuglas þringað
utan ymbe æþelne; æghylc wille

36. See Loyn (1955) and Gillingham (1995) on the social status of thegns during Wulfstan’s time and on the semantic change undergone by *ðegn*: while it originally meant someone who served a lord in a personal capacity, it became the normal means to describe a noble engaged in the business of helping to govern the realm.

37. ‘And we urge that priests earnestly serve and minister to God and intercede for all Christian people’.

38. ‘And we urge that priests maintain the churches with all reverence for divine ministry and for pure service, and for no other thing’.

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wesan **þegn** ond **þeow** þeodne mærum (Phoen 163b–65b)³⁹

It is clear that, in this context, neither term means ‘slave’.

Whoever serves the Devil has a very different relationship with his lord. Romans 6.20–21 present death as the only reward for the slaves of Sin. They can never have the apparently paradoxical state of slavery / freedom enjoyed by the slaves / children of God. This difference may have been what prompted Wulfstan to select *ðræl* to refer to the slaves of the Antichrist in an unprecedented collocation in *WHom* 9.⁴⁰ The contexts where *ðræl* appears in pre-Wulfstanian texts, i.e. the glosses to the Lindisfarne and Rushworth Gospels and to the Durham Ritual,⁴¹ and *II Æthelred*, a text with which Wulfstan may have been more familiar (see below in this section and 7.1.2), suggest that this term had not yet acquired a wider meaning, unlike the members of the *ðēow* word-field. Therefore, Wulfstan probably selected it so as to emphasize the idea of slavery without leaving any space for ambiguity.

39. ‘Birds crowd upon the noble one; each wants to be a vassal and a servant to the great lord’.

40. The selection of *ðræl* instead of *ðēow* or *ðegn* is not the only alteration to the common collocational pattern. *WHom* 9 128 is the only context in *OEC* where *Antecrist* collocates with a term referring to ‘service’. This word tends to appear on its own or to collocate with (*tō*)*cyme* ‘coming’ (twice in Wulfstan’s texts, nine times outside them) and with *tima* ‘time’ (six times in Wulfstan’s texts as well as outside them). The wording in *WHom* 9 should also be compared with *WÆLet* 2 11, where Wulfstan tells us that Christ ‘wolde þa synfullan alysan of deofles þeowete’ (‘intended to liberate sinners from their slavery to the Devil’). In this case, the phonetic similarity between *dēofol* ‘devil’ and *ðēowet* ‘slavery’ is likely have influenced Wulfstan’s lexical choice.

41. In these glosses, *ðræl* always renders L *servus* ‘slave, serf’. On the association of these contexts with the semantic field of ‘slavery’, see Darton (1976:s.v. *slave-serve-minister* 3). There is only one context, viz. Luke 15.26, which Darton (1976:s.v. *slave-serve-minister* 4) associates with ‘service’ rather than ‘slavery’. However, this association is based on the Greek term used in that context, viz. *παῖς* ‘child, slave, servant’. The Latin Vulgate has *servus* in all the cases, and, indeed, there does not seem to be much semantic difference between the *servus* mentioned in this context and that mentioned in Luke 15.22, where Gr. *δοῦλος* is chosen.

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Further evidence against Pelteret's interpretation of the meaning of *ðræl* may be found in another context in the Wulfstanian canon, where *ðræl* could be attributed emotive connotations similar to those associated with *ðēowetling*: 'freorihht fornumene 7 **þrælriht** genyrwde, 7 ælmesriht gewanode' (WHom 20.1 42–43 = WHom 20.2 48–49 = WHom 20.3 47–48; cp. WHom 20.1 49–54).⁴² The possibility of creating three echoing compounds is likely to have been the driving force behind Wulfstan's '(re)generation' of a Norse-derived compound of the same type as *ðegnriht* and *eorlriht*.

Similarly, Wulfstan's intention to emphasize the idea of 'slavery' appears to have been the reason for the selection of *ðræl* instead of *ðēow* in those contexts where the term is contrasted with *ðegn* in an attempt to highlight differences in social status. The selection of *ðēow* would have been confusing because the two word-fields are presented as synonyms in other Old English contexts. One may want to interpret LawGrið 21.2 = WPol 6.2 137 in this light: 'þurh Godes gyfe **þræl** wearð to ðegene 7 ceorl wearð to eorle, sangere to sacerde 7 bocere to biscepe'.⁴³ *Ðræl* was probably a better parallel for *ceorl* than *ðēow*: *ðræl* and *ceorl* refer to the lowest position within their respective social groups,⁴⁴ but, thanks to 'God's gift', they can progress to the highest social status available for them:

- (1) the lowest servant, i.e. a slave, becomes the highest servant, *ðegn* being a reference to the highest position which a secular servant could achieve (see above in this section);
- (2) a free man of the lowest class, i.e. a *ceorl*, acquires the highest rank within nobility below the king, i.e. becomes an *eorl*.

A further example of the *ðræl* ~ *ðegn* contrast is presented in *VIIa Æthelred*, where the loanword alternates with *ðēowmann*. *VII Æthelred* translates both with *L servus*:

42. 'The rights of freemen are taken away, and the rights of slaves restricted, and the rights to alms diminished'.

43. 'Through God's gift a thrall became a thegn, and a freeman of the lowest class became an earl [/ nobleman?], a singer a priest, and a scribe a bishop'.

44. See Stenton (1971:472–76) and Runciman (1984:13–14) on the *ceorl*'s loss of economic and personal independence in Anglo-Saxon England.

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7 gif hwa þis ne gelæste, ðonne gebete he þæt, swa swa hit gelagod is: bunda mid XXX pænigum, **þræl** mid his hide, **þegn** mid XXX scillingum (LawVIIaAtr 3).⁴⁵

7 **hiredmanna** gehwile sille pænig to ælmessan oððe his hlaforð sille to him, buton he silf hæbbe; 7 **heafodmen** teoðian (LawVIIaAtr 5).⁴⁶

7 **þeowemen** þa ðrig dadas beon worces **gefreode** wið ciricsocne 7 wið ðam þe hi þæt fæsten þe lustlicor gefastan (LawVIIaAtr 5.1).⁴⁷

Whereas *ðræl* is selected to oppose *ðegn* in LawVIIaAtr 3, the presence nearby of the compounds ‘hiredmanna’ and ‘heafodmen’ and the verb *frēogan* makes *ðēowmann* preferable in LawVIIaAtr 5.1 (cp. Nap 35 171.19–24 and Nap 36 173.23–26).

Wulfstan also uses *ðræl* when condemning the situation derived from decrees like

Gif Ænglisc man Deniscne ofsleo, frigman frigne, gylde hine mid XXV pundum, oððon man ðone handdædan agyfe; 7 do se Denisca ðone Engliscan ealswa, gif hine ofslea (LawIIAtr 5).⁴⁸

Gif Englisc man Deniscne ðræl ofslea, gylde hine mid punde, 7 se Denisca Engliscne ealswa, gif hine ofslea (LawIIAtr 5.1).⁴⁹

45. ‘And if someone does not render this, he shall make amends as has been established by law: a freeman with thirty pence, a slave with his flesh, and a thegn with thirty shillings’.

46. ‘And every servant shall give a penny as alms, or his lord shall give it for him, if he has nothing himself, and men of position shall pay tithes’.

47. ‘And on these three days slaves shall be freed from work for attendance at church and so that they keep the fast more willingly’.

48. ‘If an Englishman slays a Dane, a freeman a freeman, he shall pay for him with twenty-five pounds, or the actual slayer should be surrendered; and the Dane shall do the same for the Englishman, if he slays him’.

49. ‘If an Englishman slays a Danish slave, he shall pay for him with one pound; and the Dane shall do the same for the Englishman, if he slays him’.

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One could argue again that the negative connotations associated with the loanword would have prompted Wulfstan to select it in the following context from *Sermo Lupi*:

Deah **þræla** hwilc hlaforde ætleape 7 of cristendome to wicinge wurðe, 7 hit æfter þam eft gewurðe þæt wæpengewrixl wurðe gemæne **þegne** 7 **þræle**, gif **þræl** þone **þegen** fullice afill, licge ægilde ealre his mægðe; and gif se **þegen** þone **þræl** þe he ær ahte fullice afill, gilde **þegengilde** (WHom 20.2 98–103 = WHom 20.3 101–06).⁵⁰

However, constrained usage in a loose sense (i.e. the fact that the loanword appears in the Æthelredian text) and the possibility of contrasting again thegns and slaves may have played a more important role in his selection of *ðræl* than any negative connotations possibly associated with it.

6.1.3 THE NORSE-DERIVED TERM DOES / MAY NOT HAVE A SYNONYM IN THE WULFSTANIAN CORPUS

6.1.3.1 HOLD

The meaning of this term in the Scandinavian society is fairly easy to identify. As noted by Larson (1935:12), in the Norwegian laws *hauldr* referred to a member of ancient families whose ancestry, so far as was known, was of free origin on both sides of the house, and who were in possession of allodial land. He was, then, a step up the social ladder from the *bóndi*. The situation in England, however, is not easy to determine, although LawNorðleod 3–6 indicate that in Northumbria a *hold* was socially inferior to an ealdorman / earl, but superior to a *ceorl* and a mass-thegn. Thus, whereas *hold* renders L *tribunus* ‘commander’ in MkGl(Li) 6.21 and MkGl(Ru) 6.21, in LawNorðleod 4 the *wergild* ‘holdes & cyninges

50. ‘Though some slave may escape from his lord, and, away from Christendom, may become a Viking, and after that it happens that a hostile encounter occurs between thegn and slave; if the slave should slay the thegn outright, he will lie without payment to any of his family; and if the thegn should slay outright the slave whom he previously owned, he will have to pay the price of a thegn’.

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heahgerefan’ is said to be four thousand *thrymsas*,⁵¹ i.e. half the value of that of an ealdorman and a bishop. There is no native equivalent for the term, and this is recognized by *TOE*, where *hold* is the only term with the meaning ‘holder of land below a jarl’ included under 12.01.01.06.08 (‘a person of rank, elder, great man’).

Since the immediate context where *hold* is used in *Norðleoda laga* does not exhibit the effects of Wulfstan’s intervention, and it is generally accepted that Wulfstan’s relationship with the text is restricted to his introduction of a few modifications and its integration in his ‘compilation of status’, it is reasonable to conclude that Wulfstan used *hold* prompted by the original wording of the text.

6.2 MONETARY TERMS

6.2.1 *HEALFMARC* AND *ORAN*

In the Wulfstanian corpus these terms only occur in the *Peace of Edward and Guthrum*, always in association with payments due in the area under the Danish law:

7 gif mæssepreost folc miswyssige æt freolse oððe æt fæstene,
gylde XXX scillinga mid Englum 7 mid Denum þreo **healfmare**
[*recte* healfmarc] (LawEGu 3.1).⁵²

Gif preost to rihtandagan crisman ne fecce, oððe fulluhtes forwyrne
þam þe þæs þearf sy, gylde wite mid Englum 7 mid Denum lahsliit,
þæt is twelf **oran** (LawEGu 3.2).⁵³

51. ‘Of a hold and a king’s high-reeve’.

52. ‘And if a priest misdirects the people regarding a festival or a fast, he shall pay thirty shillings among the English and three half-marks among the Danes’.

53. ‘If a priest does not fetch the chrism at the appointed day, or refuses baptism to him who has need of it, he shall pay a fine among the English and *lahsliit*, that is twelve oras, among the Danes’.

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Sunnandæges cypinge gif hwa agynne, þolie þæs ceapes 7 twelf
orena mid Denum 7 XXX scillinga mid Englum (LawEGu 7).⁵⁴

Their exclusive connection with the Danelaw agrees with the fact that these units of account are otherwise mainly recorded in texts associated with the Scandinavian leaders and the settlers (see below, 7.1.2). Their integration in Anglo-Saxon economic life should be analysed by historians rather than by linguists (e.g. Nightingale 1983, 1984 and 1985); therefore, this book will not focus on it.

6.3 CONCLUSION

The following table summarizes the analysis conducted in the previous sections.

Freely selected terms			Terms selected following ‘constrained usage’
Terms ‘(re)generated’ by Wulfstan	New-formations not attributable to Wulfstan	Loanwords and semantic loans	Loanwords
Compounds: <i>eorlgyfu, eorlriht, ðræleriht</i>	Derivatives: <i>eorldōm</i> Compounds: <i>healfmarc</i>	Simplexes: <i>bōnda, eorl, ðran, ðræl</i>	Simplexes: <i>hold</i>

Table 10. Etymological interpretation of the Norse-derived non-legal terms in Wulfstan’s texts

Three of the social terms analysed in this chapter, *bōnda*, *eorl* and *ðræl*, present a significant level of accommodation in Wulfstan’s ‘active

54. ‘If anyone attempts to do trading on a Sunday, he shall forfeit the goods, and twelve oras among the Danes and thirty shillings among the English’.

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repertoire'. The evidence for the integration of the first two terms has mainly a numerical character, i.e. they are used more regularly than their native equivalents when there are no stylistic or textual constraints at work. Much more interesting is the case of *ðrǣl*, a term which is recorded only on a handful of occasions in *OEC*. Wulfstan's exploitation of its unambiguous character suggests that, as with *cyrīcrēn* and *unsac*, its level of integration in the linguistic system should not be equated with the number of attested occurrences. In the case of *eorl* and *ðrǣl*, their participation in word-formation processes also bears witness to their deep integration in Wulfstan's vocabulary. As far as *eorl* is concerned, familiarity with its form is likely to have contributed to its early participation in word-formation processes with the borrowed meaning.

Hold, *healfmarc* and *ōran* are not as important for the study of Wulfstan's vocabulary. Their usage merely indicates that he was aware of the social and economic peculiarities of the Scandinavianized areas.

CHAPTER 7

REASONS FOR THE PRESENCE OF NORSE-DERIVED VOCABULARY IN WULFSTAN'S WORKS

7.1 THE CORRELATION BETWEEN NORSE-DERIVED TERMS AND CHRONOLOGY

In 1948 Menner published his well-known article on the character of Wulfstan's vocabulary. It dismisses most of the Anglian features previously identified in Wulfstan's works on the basis that they are either recorded in works not attributable to Wulfstan, that they have been incorrectly identified as Anglian, or that they should be explained as a result of Wulfstan's imitation of earlier homilists. Menner concludes that '[t]here is nothing in his vocabulary to indicate that he was other than Saxon born and trained' (1948:8).¹

Even though Wulfstan's origin is still under dispute (see below, 7.1.3), most scholars are happy to describe the dialect of his compositions as late West Saxon (e.g. Bethurum 1957:54; Levin 1961; Schabram 1965:93–99; Whitelock 1976:37; and Dance 2004:50). In particular, it is associated, from a lexical point of view, with the subdialect exhibited by King Alfred's texts as opposed to the so-called 'Winchester group'.² Thus, the easiest way to

1. Menner only accepted as Anglianisms *æswic* 'infamy, seduction', *fracoð* 'bad, abominable', *morðor* 'murder, homicide' and *unwæstem* 'barrenness'. On *æswic* and *morðor*, see also Wenisch (1979:102–03 and 184–89). Two more words have been added to this list, viz. *egesa* 'fear; horrible deed' and *gryre* 'horror; fierceness; horrible deed' (see Dance 2004:46, who relies on Hofstetter 1987:160–61).
2. On this classification, see Hofstetter (1987 and 1988). His study incorporates those by Schabram, who (1965:93–99) explains that Wulfstan's works express the concepts associated with L *superbia* 'pride' mainly with the nouns *ofermëtt* and *ofermōdignes* rather than with *mōdignes*, the term preferred by Ælfric and the other members of the Winchester group; by Gneuss, who (1972:76–77) includes a list of

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explain Wulfstan's Norse-derived vocabulary is by associating it with his dealings with York. Such is Whitelock's suggestion. She explains that 'it is natural enough that an archbishop of York should adopt some of the vocabulary of the Scandinavianised North' (1976:44; cp. Whitelock 1965:226; and Kubouchi 2006:135–36 and 144). The thorough consideration of this explanation requires the analysis of two different aspects, viz. the time that Wulfstan spent in his archdiocese, and the development of his Norse-derived vocabulary.

7.1.1 WULFSTAN AT YORK

7.1.1.1 *NON-LINGUISTIC EVIDENCE*

Anyone interested in Wulfstan either from a historical or a linguistic perspective wonders at some point how much time he actually spent in his archdiocese. That is the topic of Whitelock's 1965 article, the title of which has been borrowed as the heading for section 7.1.1. Whitelock argues that the whole point of appointing a southerner with connections with the eastern Danelaw to hold York and a southern see in plurality so as to prevent him from behaving like Archbishop Wulfstan I of York (d. 956) would have been defeated if the appointed person had spent all his life in the southern diocese.³ She presents four types of evidence in favour of her view that Worcester could hardly have been intended to be Wulfstan's permanent place of residence:

(1) Recorded events when Wulfstan is said to have been in York (e.g. Ælfig's consecration as bishop of London and Wulfstan's witnessing of

the words commonly used in Winchester texts and their equivalents in texts outside the group; and by Seebold, who (1974:314–16) comments on Wulfstan's preference for the Alfredian *wær* instead of Winchester's *snotor* to express the same concept as *L prudens* 'prudent'. Hofstetter's (1988:152–55) results are very clear: whereas in the Ælfrician works 98.3% of the analysed words are those preferred by the Winchester group, in Wulfstan's texts only 2.6% of the terms belong to this group (cp. Dance 2004:46–51). For a recent reappraisal of the so-called 'Winchester vocabulary', see Hogg (2006:411–13).

3. On this political manoeuvre by the West Saxon kings, see Bethurum (1957:59–60) and Whitelock (1959). On the reasons to hold York together with a southern see, see also Jones (1958:110–11), Barrow (2000:160) and Blair (2005:313).

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Æthelred's confirmation of a grant by a York citizen to St Cuthbert's at Durham, probably both in 1014, as well as Wulfstan's death).⁴

(2) The fact that the origin of certain manuscripts associated with Wulfstan is not more clearly attributable to Worcester than York. Besides the Old English texts in the York Gospels and Harley 55 (fos. 1–4) (see below in this section), Whitelock mentions London, British Library Cotton MS. Nero E.i (hereafter Nero E.i), Claudius A.iii, fos. 31–86 and 106–50, Nero A.i, fos. 70–177, and London, British Library Cotton MS. Vespasian A.xiv (hereafter Vespasian A.xiv), fos. 114–70, as manuscripts with a possible York connection. She also suggests that the material in Corpus 201 may have been compiled at York, and that it would have been there where Wulfstan inserted the two poems in the northern recension of the *Anglo-Saxon Chronicle*.

(3) Wulfstan's interest in the conditions of the Danelaw, reflected in the *Peace of Edward and Guthrum* and his familiarity with northern practices associated with heathenism, marriage of priests, etc.

(4) The Old Norse loanwords in his vocabulary.

Other than the evidence presented in (1), the connections which Whitelock establishes are not free from problems (see below, 7.1.1.2, on the association of Wulfstan's Norse-derived terms with York). Leaving aside the case of the York Gospels, the connection of the aforementioned manuscripts with York cannot be definitively asserted. In his study on tenth- and eleventh-century manuscripts from Worcester, Gameson (1996:197, 233 and 239) agrees with Whitelock that Harley 55, fos. 1–4, Claudius A.iii, fos. 31–86 and 106–50, and Vespasian A.xiv should be associated with York rather than Worcester. Yet, whereas Keynes (1986:82–83) supports the York origin of Nero A.i, fos. 70–177, and Loyn (1971:30) echoes Whitelock's argument without discarding it, Gameson (1996:239) presents both Worcester and York as equally likely origins, and mentions only Worcester in connection with Nero E.i. Gneuss's (2001) description is non-committal in all cases. Similarly, Wormald comments that 'this [association] can be

4. On these events, see ChronD (Cubbin) 1014, Arnold (1882:183) and Darlington et al. (1995:508–09). On Wulfstan's presence in York in 1014, see also Wilcox (2004:375–83). Hugh Candidus says that Wulfstan had intended to leave his body and possessions to Peterborough, but died suddenly on a visit to Ely, and was buried there (see Mellows & Mellows 1966:36). However, as noted by Cooper (1970:4) and Whitelock (1976:8), it is likely that Hugh Candidus invented this story to account for Wulfstan's burial there rather than at Peterborough.

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proved rather than argued for one alone' (1999d:185), that one being the York Gospels.⁵

Wulfstan's interest in the Danelaw and his familiarity with its practices (especially regarding heathenism) cannot be equated with his presence in Northumbria either. Ælfric also showed familiarity with heathen practices in several of his works (e.g. *De Falsis Deis* and *De Auguriis*). As explained by Meaney (1970–71:121–23), the terms with which Wulfstan describes those practices in WCan 16 are similar to those employed by Ælfric in his *Passion of St Bartholomew the Apostle* (ÆCH I, 31 303–18) or by the Penitential of Pseudo-Theodore, which appears to have been available at Worcester (cp. Bethurum 1957:70, note 2).⁶ Likewise, the extended list in LawVIatr 7 of those involved in heathen practices bears some resemblance to LawAf 30 and LawIIAs 6. Furthermore, Meaney (1970–71:123–24) notes that sorcery and magic may not have been restricted to Northumbria, for there is a record of a certain woman being drowned at London Bridge as a punishment for witchcraft (S 1377, 963 x 975).⁷ Despite these comparisons, Meaney also highlights the familiarity which Wulfstan appears to have had with these practices, but adopts a less radical view than Whitelock: 'he refers to heathen practices in such a way as to suggest that he had first-hand or *good second-hand knowledge* of them' (1970–71:124, my emphasis; cp. Meaney 2004:465–71). His familiarity with Danelaw practices *may* derive from an earlier period (see below, 7.1.3), although the actual existence of paganism in East Anglia is difficult to prove because 'it is doubtful if the

5. See Wormald (1999d:Chapter 4) for a detailed analysis of the reasons for and against the association of the aforementioned manuscripts, except for Vespasian A.xiv, with York. On the York Gospels, see further Heslop (2004).

6. The Penitential of Pseudo-Theodore is edited by Thorpe (1840:277–306); the text referred to above can be found in ch. 27 (see Thorpe 1840:292–93). On the penitential and Wulfstan's association with it, see also Sauer (2000:383–84, note 10), Meaney (2006:147–48) and Pons-Sanz (2006a).

7. On this case, see Philippon (1929:222–23). On the possibility that Swein and Cnut were accompanied by men who had not yet converted, see Blair & Crawford (1997); their arguments are, however, problematic (see Richards 2000:146; and Graham-Campbell 2001:116–18).

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Benedictines would have tolerated anything of the kind in an area where they had established themselves' (Meaney 1970–71:111).⁸

More interesting is the connection between Wulfstan and York suggested in the York Gospels. Besides *Nap 59*, *Nap 60*, *Nap 61* and *Cnut 1020*, the manuscript records six documents in Old English.⁹ The most important for our purposes are the first three, viz. the surveys of the archbishop's estates in the West Riding of Yorkshire. Keynes (1986:82–83) believes that the inclusion of these documents in fos. 156^v and 157^r must be slightly earlier than the recording of the Wulfstanian texts. Since the latter should be dated 1020 x 1023 (with the sending of Cnut's letter and Wulfstan's death acting as the *termini post quem* and *ante quem*, respectively, because the four texts have been written by the same hand), the surveys must have been entered ca 1020. They have been written in contemporary hands, and there may have been as many as four different scribes involved. Keynes (1986:84 and 88–89) establishes a clear connection between these texts and a document drawn up by Archbishop Oswald (975–92), who also held the two sees in plurality. Oswald's text, recorded in Harley 55, fo. 4^v, explains, among other issues, the losses from the estates at Otley, Ripon and Sherburn. Wulfstan's disgust with that situation is attested by the fact that the hand which Ker (1971:327 and 1990:no. 225) identifies as the archbishop's included at the end of the document the words 'wrece God swa he wille' (see further below, 7.1.3.2.).¹⁰ According to Keynes (1986:84), Wulfstan's anger may have gone even further, as it may have been he who recovered the alienated lands, which would have prompted him to have the surveys entered in the gospel book to protect York's title to the estates (cp. Baxter 2004:177–79).

The dealings involved in the process of recovering those lands could have required Wulfstan to spend some time in York, and this fits Whitelock's suggestion that 'after the appointment of Leofsige as bishop of

8. On pagan practices in the eastern Danelaw during the ninth and tenth centuries, see Whitelock (1945a). On the Benedictine foundations in the Fenlands during the second half of the tenth century, see Campbell (1996:14–16) and Barrow (2000:163–65).

9. For a detailed study of the Old English additions in this manuscript, see Keynes (1986). See Stevenson (1912) and Robertson (1925:no. 84) for an edition of these texts bar the Wulfstanian works.

10. 'May God avenge [it] as He will'.

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Worcester the aging archbishop's visits to Worcester would have been less frequent than before' (1965:214). The frequency of his visits may have diminished so much that Jones, echoing the opinion of Worcester historians, asserts that 'he preferred York to Worcester' (1958:129). Thus, in a list of bishops edited by Hearne (1723:516), Wulfstan is called 'reprobus' ('dishonest'), and is accused of having spoiled the community of their possessions. William of Malmesbury also questions Wulfstan's probity in his *De Gestis Pontificum Anglorum* (see Hamilton 1870:250; and Prest 2002:167). However, Bethurum (1957:66–68) attributes this negative view to the resentment regarding the association with York which Worcester appears to have held at the end of the eleventh century because the community lost many lands. These losses may rather be attributable to genuine mistake and, possibly, the actions of Oswald and Ealdred.¹¹

There is evidence which suggests that Wulfstan's contact with Worcester continued after 1016. S 1384 (1017) records Wulfstan's donation to his brother of some lands belonging to the community (cp. Mason 1990:26). Furthermore, the *Historia Monasterii S. Petri Gloucestriae* assigns his reformation of St Peter's at Gloucester to 1022, and still refers to Wulfstan as bishop of Worcester (see Hart 1863–67:I, 8; and Welander 1991:600); this dating, however, is somewhat problematic (see Whitelock 1976:12, note 6).

Although it seems reasonable to believe that after 1016 Wulfstan spent long periods at York, there is not much documentary evidence that he did so. Nor can one gain a clear picture of the time that he spent there before 1016. Thus, the findings in this section need to be supplemented with the analysis of his use of Norse-derived terms.

11. On Oswald's grants of lands to the members of his family, see Wareham (1996). The *Liber Eliensis*, according to its hagiographical tradition, praises Wulfstan for his worldly nobility and his excellent customs (see Blake 1962:156; and Fairweather 2005:185–86). More significantly, Hemming does not accuse Wulfstan of any offences, but blames rather Wulfstan's nephew Brihteah for leasing too many Worcester lands to his relations (see Hearne 1723:266–69). On Brihteah's leases, see also Williams (1996:394–96 and Table III). On Wulfstan's role as estate administrator, see further Baxter (2004).

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7.1.1.2 LINGUISTIC EVIDENCE: THE CHRONOLOGICAL DEVELOPMENT OF WULFSTAN'S NORSE-DERIVED VOCABULARY

If one were to assign Wulfstan's Norse-derived vocabulary to his contact with York, one might expect an increase of these terms as his relationship with the Scandinavianized population of his archdiocese became deeper and longer. So as to be able to observe whether this is true, Wulfstan's use of Norse-derived terms has to be chronologically arranged. Such is the aim of Table 11. It organizes the archbishop's works according to their date and the number of types (as opposed to tokens) of Norse-derived terms recorded in them.¹² The chronological arrangement of the works follows the order and textual groupings in Table 1. The terms are presented together with the work where they are first recorded. Those which reflect 'constrained usage' are underlined, fully or partially according to the different nature of the constraints at work (see below in this section). The homiletic texts are highlighted in bold.

Even though Wulfstan's Norse-derived terms seem to increase during the last years of his career, the two most important simplexes of the present study, viz. *lagu* and *grið*, are already present in his earliest works. His familiarity with these terms is suggested by their early integration in productive processes. Even if *unlagu* and *lahriht* were interpreted as loanblends based on ON *úlqg* and *lqgrétt*, respectively (see above, 3.3), it is difficult to reject the identification of Wulfstan's creativity behind the existence of *lahgewrit* in *WHom 10a*, a homily composed during the early years of his (arch)episcopate. Similarly, as far as the earliest records of the *grið* word-field are concerned, even if *WHom 19* should be attributed to later period in his career than suggested in Tables 1 and 11 (see above, 1.1.2 and 4.1.1), one is almost forced to attribute the existence of, at least, *handgrið* to Wulfstan's creativity (see above, 4.2). This compound first appears in the *Peace of Edward and Guthrum*, a code from the same period as *WHom 10a*. This code also records the Norse-derived use of *eorl*, a selection which remains within the common pre-Cnutian lexical patterns (see above, 6.1.1.2). More interestingly, *ðræl* exhibits Wulfstan's idiosyncratic usage,

12. So as to save space, *Law* before the legal codes, *W* before the homilies, (*Jost*) in the texts edited by Jost (1959a), (*Cubbin*) in the D-text of the *Chronicle* and (*Irvine*) in the E-text have been left out.

	0	1	2	3	4	5	6	9	10	11	12	16
London	Hom 14, Hom 2	Hom 15 (lagu), Hom 3, Hom 1b	Hom 19 (grið)									
York and Worcester	Hom 4, Hom 7, Hom 8b, Prose <i>LitBen</i>	Hom 5, Hom 6, <i>Episc</i> (lahriht), Hom 12, <i>WCan,</i> Hom 8c, <i>Að,</i> <i>Mircna</i>	Hom 10a (lahgewrit), Hom 9 (ðræ̃l), Hom 11 (unlagu), <i>Norðleod</i> (<u>hold</u>)	Hom 10c (griðian)	<i>WÆLet 2</i> (lagian, <i>lahlic,</i> <i>lahlice,</i> <i>Geþyncðo</i> (eorlriht), <i>Had</i> (rihtlagu)	<i>WPol 6.2</i> (ðegnlagu, <i>eorlgyfu,</i> <i>eorldôm</i>)			<i>EGu</i> (ūtlah, <i>lahslit,</i> <i>cyricgrið,</i> <i>handgrið,</i> <i>eorl, ðran,</i> <i>healfmarc</i>)		<i>Grið</i> (woruldlagu, <i>hælnesgrið,</i> <i>hādgrið</i> <i>griðlagu</i>)	
					<i>XAtr</i>		<i>Nap 51,</i> <i>VAtr</i> (lahbryce, <i>unsac</i>)					
			<i>Nap 35,</i> <i>Nap 36</i>	<i>VIIaAtr</i> (bōnda), <i>Nap 39</i>								
	1st part of <i>Nap</i> 47, <i>IXAtr</i>	Hom 13							Hom 20.1 (folclagu, <i>griðlēas,</i> <i>ðræ̃lriht</i>)	<i>VIIIAtr</i> (inlagian, <i>mæglagu,</i> <i>regollagu,</i> <i>ūtlaða</i>)	Hom 20.2, Hom 20.3	

	0	1	2	3	4	5	6	9	10	11	12	16
York (and Worce- ster?)								<i>Nap 50</i>		<i>VIATR</i> (<i>cyricrēn</i>), <i>Cn 1018</i>		
	<i>Hom 18</i> , <i>S 1386</i>	<i>Hom 17</i>	<i>Nap 60</i> , <i>Nap 61</i>	<i>Nap 59</i>	<i>Cn 1020</i>							
	<i>Nap 23</i> , <i>Nap 24</i> , <i>Nap 25</i>								<i>ICn</i>			<i>IICn</i> (<i>friðlēas</i> , <i>frið</i> , <i>hāmsōcn</i> , <i>n[ā/æ]m</i> , <i>uncwydd</i> , <i>unbecrafod</i> , <i>drinceleān</i>)
?	<i>IEm, II- IIIEg, Hom 16b, WPol 2.2.2, WPol 2.2.3, WPol 2.3, WPol 4, Nap 52, Nap 53</i>	<i>ChronD</i> 959, <i>ChronE</i> 959, <i>IAS</i> , <i>WPol 6.1</i> (<i>cost</i>)	<i>Hom 21</i> , <i>WPol 2.2.1</i> <i>ChronD</i> 975					<i>Polity</i> (<i>lahwita</i>)				

Table 11. Chronological distribution of Wulfstan's Norse-derived vocabulary

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i.e. it appears in a context where there is a clear exploitation of its unequivocal reference to slavery, already in a work composed during the earlier period of his career. As with *lagu* and *grið*, that *eorl* and *ðræl* have reached Hope's (1971) third phase of integration of a loan is further attested by their early participation in word-formation processes (see above, 2.3.2). Thus, Wulfstan's earliest works establish the foundations for the future development of his Norse-derived vocabulary. When this is compared with his approach to word-formation with non-Norse-derived terms, one feels compelled to associate this development with the archbishop's own lexical practices rather than with any external influence.

Any additional increase in the number of Norse-derived terms other than those belonging to the word-fields of the aforementioned words can be organized as follows:

(1) Norse-derived terms which are selected because of 'constrained usage':

(1.a) terms the selection of which has most likely been prompted by 'constrained usage': *hold*, *uncwydd*, *unbecrafod* and *hāmsōcn* (at least in one of its occurrences, whereas 'constrained usage' is possible in its occurrence as an exocentric compound);

(1.b) terms the selection of which *may* reflect 'constrained usage': *drincelēan*.

(2) New Norse-derived terms which are freely incorporated into Wulfstan's 'active repertoire':

(2.a) terms which represent Wulfstan's awareness of the existence of different practices in the Danelaw: *ōran*, *healfmarc* (and *lahslit*);

(2.b) terms which are not specifically associated with the Danelaw: *bōnda*, *cost*, *cyricrēn*, *unsac*, *n[ā/æ]m*, *friðlēas* and the borrowed meaning of *frið* in LawIICn 13.

The terms presented under 2.b are the best (and, possibly, the only) indication of an actual increase in Norse-derived terms in the archbishop's vocabulary because all of them, except for *bōnda* and *unsac*, are recorded in post-1016 works. It may be possible to interpret the use of *frið* in LawIICn 13 as a 'semantic backformation': a noun, which already exists in the borrowing language, acquires a new meaning because of its use as the base of a complex which is a loan-translation of the foreign term. Thus, if *frið* and *friðlēas* are analysed together, Wulfstan's vocabulary would have increased in four or five terms (if *drincelēan* is added to the freely-chosen

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terms) after 1016. They are used only once in the corpus, possibly as an indication that Wulfstan became acquainted with specific legal terms as his career progressed. The typically East Scandinavian use of *bōnda* in LawVIAt 31–32 = LawCn 1018 20.1 = Nap 50 271.31–272.2 = LawIICn 8 may be associated with this slight increase in the use of Norse-derived terms. Notably, *r[ā/ē]n* has already taken part in a word-formation process, which may argue against Wulfstan having acquired the term shortly before its use in *VI Æthelred*.

The extant non-linguistic evidence does not deny that Wulfstan could have spent long enough in York after 1016 for his vocabulary to have been influenced by northern usage. Nonetheless, any straightforward and exclusive attribution of Wulfstan's Norse-derived vocabulary to his contacts with the northern see has to be rejected because the basic characteristics of his practices regarding the Norse-derived terms are already present in his earliest texts, and because the slight increase in legal terms exhibited in his post-1016 texts, especially *II Cnut*, could be attributable to his contact with Cnut's Danish court.¹³ Therefore, one has to examine whether Wulfstan could have become familiar with the core Norse-derived terms of his vocabulary in London or Worcester.

7.1.2 WULFSTAN AT LONDON AND WORCESTER

7.1.2.1 SCANDINAVIAN PRESENCE IN PRE-CNUTIAN LONDON

The first notices which we have about Wulfstan's career are his appointment as bishop of London in 996 (see ChronF [Baker] 996) and his signing of several charters dated in that year as 'bishop of the Church of London' (viz. S877, S 878 and S 879).¹⁴ That his relationship with Æthelred was already very good at that time, and that his appointment as bishop of London was an important career move are suggested by the fact that, as noted by Whitelock (1975:25), from the first charter he witnesses, he never drops below second

13. On the significant presence of Old Norse in Cnut's court, see Frank (1994) and Townend (2001).

14. 'Londoniensis ecclesie episcopus'. See further below, 7.1.3.1.

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place in the list of episcopal signatories, while the position of his successor varies greatly, and is usually much lower down.

London's key strategic position controlling the Thames Valley, its commercial and financial activity and its extremely significant coin production made it very desirable for English and Scandinavians alike (see Inwood 1998:46).¹⁵ It is therefore not surprising that it suffered various Scandinavian attacks during the ninth and tenth centuries. The raiding-army wintered there in 871–72 (see ChronA [Bately] 872), and they may have manned it from that year until King Alfred and Ealdorman Æthelred's conquest in the 880s (see Brooke & Keir 1975:19; Whitelock 1975:16). Their interest in the city becomes apparent again at the end of the tenth century; for instance, it was attacked by Olaf Tryggvason and Swein, together with the troops in ninety-four ships, in 994 (see ChronE [Irvine] 994). Two years earlier, in 992, Æthelred had assembled in London a large naval force in the vain attempt to defeat the Scandinavians. Curiously, Bishop Ælfstan is said to have been one of the leaders of the navy (ChronE [Irvine] 992). Although at the time there were two bishops with that name, one in charge of Rochester and the other in the see of London, it is most likely that the entry refers to the latter (see Whitelock 1975:24). This gives us some insight into the sort of activities which Wulfstan may have been involved in during his first episcopacy.

A well-known aspect of the Vikings' activities abroad is the close connection between trade and piracy. Thus, one presumes that Scandinavian traders were also interested in London, a cosmopolitan city with important mercantile relationships with Rhineland, Flanders and Normandy (cp. LawIVatr 2.6).¹⁶ However, there is not much evidence that there was an important Scandinavian presence in that city before Cnut's reign (cp.

15. LawIIAs 14.2 declares that London should have eight moneyers, as opposed to seven in Canterbury and six in Winchester; on this distribution, see Stenton (1971:537–38) and Metcalf (1978:166). On the significance of London during Æthelred's reign from a monetary perspective as a result of commerce and the large Danegelds to be collected, see Brooke & Keir (1975:92–96), Hill (1978b) and Stafford (1978b).

16. On Anglo-Saxon London's international trade, see Brooke & Keir (1975:23 and 266–70), Nightingale (1987:560), Vince (1988) and Clark (1989:23).

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Sawyer 1986:192; and Holman 1996:20).¹⁷ Even though, as noted by Page (1995:192), personal names are not a fully reliable source of evidence on family background, it is noteworthy that of over one hundred London moneyers who were striking coins between 973 and 1016 only six had Scandinavian names, and only two of them were prolific (see Smart 1968:250–55; and Nightingale 1987:560).¹⁸ Similarly, all the dedications of churches to Viking saints are recorded only from Cnut's reign or later (see Brooke & Keir 1975:139–43).

One of the arguments used by historians in the past to highlight the importance of the Scandinavian element in London already in the tenth century is the mention of London's Court of Husting in a tenth-century charter of Ramsey Abbey which exists only in a later Latin translation (see Macray 1886:58). The fact that the court bears a Scandinavian name, *ON húsþing* being a 'council or meeting to which a king, earl or captain summoned his people or guardsmen', could indicate that the court would have been created 'to meet the needs of English citizens who were in constant association with Scandinavian traders' (Stenton 1970a:31). However, Nightingale (1987) has convincingly shown that this reference is likely to be a later interpolation, and that there is no actual proof of the existence of the court before another charter from *ca*1032 (*viz.* S 1465).

It seems best to conclude, then, that by the time Wulfstan was appointed to his first bishopric, London had not become yet the important centre of Anglo-Scandinavian relations it would become in later years.

7.1.2.2 SCANDINAVIAN PRESENCE IN PRE-CNUTIAN WORCESTER

As in the case of London, pre-Cnutian Worcestershire does not seem to have been under much Scandinavian influence. Gelling, who has explored the impact of the ninth- and tenth-century Scandinavian attacks on the west midlands, concludes that

17. On archaeological findings associated with the presence of the Vikings in London, see Wheeler (1927), Bjørn & Shetelig (1940:77–92), Holman (1998) and Gabor (2001).

18. This number can be assessed against the fact that at the end of the tenth century the names of about 70% of the moneyers of York had Norse origin (see Hall 1994:42; and Clarke & Ambrosiani 1995:93).

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the Norwegian and Danish presence in north-west Cheshire, north Staffordshire and east Warwickshire was slight, and not likely to have had any discernible effect either on political history or on the ethnic composition of the people of our five counties (1992:137).

Similarly, Williams (1986:2) explains that any significant presence of the Danes in Worcestershire and the surrounding shires should be associated with the appointment of three Danish earls to the south-west midlands in the early years of Cnut's reign. Furthermore, she claims, the Danish influence in the area was probably short-lived, as suggested by the fact that the followers of the Danish earls appear to have been assimilated reasonably early into a society predominantly English. Accordingly, she states that 'there is nothing "Anglo-Scandinavian" about the society of the west midlands in the 11th century' (1986:15–16). Williams's conclusion generally agrees with Dance's (2003:Chapter 1) recent summary of the available evidence.

If Wulfstan continued to have contact with Worcester after 1016 (see above, 7.1.1), his relationship with the newly appointed earls could be another source for his newly acquired Norse-derived terms. However, a strong Scandinavian influence on his vocabulary from Worcester before 1016 seems unlikely, even though one needs to remember that before Wulfstan's time Worcester had already been held in plurality with York by Oswald (971–992) and Ealdwulf (995–1002). Therefore, the presence of speakers whose dialect had been influenced by Old Norse in Wulfstan's southern see cannot be fully discarded (cp. Dance 2003:33–34).

Indeed, the inhabitants of pre-Cnutian London and Worcester are likely to have come into contact with Old English speakers whose dialects would have been influenced by Old Norse to a greater or lesser degree. Yet, a significant degree of Scandinavian influence cannot be claimed for either place. One needs then to examine the character of Wulfstan's Norse-derived terms so as to assess whether he could have become familiar with them in areas with such low Scandinavian impact or whether the terms imply a much deeper contact with the Scandinavianized areas.

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7.1.2.3 WULFSTAN'S NORSE-DERIVED TERMS IN CONTEXT

All the Norse-derived terms recorded in the Wulfstanian canon belong to technical semantic fields. In this respect, Wulfstan's works offer a perfect example of the oft-repeated distinction between the predominantly technical character of the Old Norse loanwords in Old English as opposed to the miscellaneous nature of those first recorded in Middle English texts.¹⁹

In Wulfstan's texts there is a general correlation between the terms which are most deeply integrated in his 'active repertoire' and those which, as suggested by their textual attestations, enjoyed relatively wide popularity by the early eleventh century.²⁰ The clearest cases are *lagu*, which Bethurum (1957:54) says is fully Anglicized, and *ūtlah* / *ūtlaga*, which very early became associated with *lagu* through folk etymology (see above, 3.1.3.2). This group may also include *grið*, which is used in earlier Æthelredian legal texts as well as the annals for the early eleventh century included in the so-called *Chronicle of Æthelred and Cnut*;²¹ it is however possible that Wulfstan's own use may have contributed to the selection of the term in the *Chronicle*, the first part of which was probably composed ca1016–17 (see Keynes 1978:231 and 245, note 19). The popularity of some of these terms

19. This disparity can be attributed to the differing sociolinguistic situations between the two linguistic periods, the political power of the Scandinavian leaders (and, consequently, their linguistic influence on the semantic fields associated with it) being much more significant in the tenth and eleventh centuries than in the twelfth or thirteenth centuries, by which time the Scandinavian population would have been fully assimilated. On the relative prestige of Old English and Old Norse, see Hansen (1984:77–81) and Keynes (1997:68–69).

20. The following lines are closely associated with section 8.1, where three tables record the number of occurrences of each term in the texts previous to or contemporary with Wulfstan's. Therefore, only the most interesting attestations of the different terms are mentioned here.

21. The origin of the *Chronicle of Æthelred and Cnut*, which comprises the annals 983 x 1022, is disputed. While Dumville (1983:27) assigns them to Abingdon, Canterbury is favoured by Plummer (1892–99:II, §110.7) and O'Brien O'Keeffe (2001:lxviii); Keynes (1978:232) gives London as an option, while Dorothy Whitelock is said to have suggested Ramsey in private conversations (see Dumville 1983:27). On the presence of *grið* in the annals, see also Pons-Sanz (forthcoming 2).

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also reached Ælfric, whose works contain examples of *ūtлага* (e.g. *ÆGram* 70.5) and *ūtlagian* (see below, 8.1.1 and 8.2.1.2).

That Wulfstan's interest in the legal world and its terminology may have started before he actually began to draft codes is suggested by the references to his drafting of charters and his likely participation in the shire court while he was bishop of London (see above, 1.1.1.2 and 1.1.2). Furthermore, if the association between *handgrið* and LawIIIATR 1 suggested above, 4.1.1.2, implies that Wulfstan had already acquired a copy of the text by the time he composed the *Peace of Edward and Guthrum, III Æthelred* would have provided him with a model for the use of many of the less common Norse-derived terms in his works. It would have inspired him to create *handgrið*, which would have subsequently contributed to make *cyrícgrið* preferable over the traditional *cyrícfríð*. Moreover, it would have given him an example of the use of *cost*, the Danelaw-related *ōran*, *healfmarc* and *eorl*, and two members of the *sac* world-field, which Wulfstan could have easily turned into an *un*-derivative following stylistic constraints and his own lexical preferences.

Even though the association of the two texts is particularly tempting, there is no need, however, to establish a direct attribution of Wulfstan's acquisition of these terms to the Æthelredian code. It is not possible to deny categorically any familiarity outside the Danelaw areas with *cost* because it is recorded in S 939 (995 x 999), where Æthelred confirms Æthelric's bequest of some lands to Christ Church, Canterbury. Even though Æthelric lived in the Scandinavianized areas of East Anglia, and was suspected of having allied with Swein against Æthelred, there is nothing to suggest that the drafters of the document had the same connections. *Cost* is used immediately before the text indicates that 'þeos swutelung wæs þærrihte gewriten 7 beforan þam cincge and þam witon gerædd'.²² Keynes (1980:129–30) uses this document as evidence for the existence of a chancery allowing for the production of written documents at a royal meeting (see below, 8.1.2). This usage may imply that the term had become accommodated into the legal language (cp. Hofmann 1955:§264). Just as it is not necessarily the case that Wulfstan became familiar with it through *III Æthelred*, he need not have learnt it through his contacts with the royal court and the Northumbrians either (see above, 7.1.1.2). The fact that it appears

22. 'This declaration was instantly written and read in front of the king and the council'.

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in the same text as its only native synonym in the corpus *may* imply that Wulfstan, despite knowing the word, did not have any need to use it before.

The frequent annalistic use of *eorl* during the tenth and early eleventh centuries to refer to leaders associated with Scandinavia or the Danelaw has already been commented on (see above, 6.1.1.2). Although the two monetary terms are most commonly associated with the Danelaw in pre-Cnutian texts,²³ *ōran* also appears in LawIVatr 9.2, where it is said that a pound shall contain fifteen oras. Wormald (1978:62–63 and 1999d:322–36) suggests that LawIVatr 5–9 represent coinage laws passed during the early years of Æthelred’s reign (ca984–85), and that they were appended to a ‘report’ by (presumably) Æthelred’s London representative.²⁴ Nightingale (1984:235), who accepts Wormald’s suggestion, explains that the pound of fifteen oras may have descended from the pound of fifteen ounces, and that the name *ōran* may have been chosen to avoid confusion with the different ounce of the West Saxons. This implies that, at least, *ōran* may have enjoyed some familiarity outside the Danelaw, while the integration of (*healf*)*marc* could have been facilitated by the association of the Old Norse term with its Old English cognate, viz. *mearc*, as suggested by its form in LawAGu 2 (see above, note 51 in Chapter 2).

The attestations of the *sac* word-field recorded below, 8.1.3, hint at its important presence in late Old English, especially as far as *saclēas* is concerned. The higher number of records of this adjective as opposed to *sac* and *unsac* may be due to the fact that it could have neatly filled a void in the lexical field by acting as a quasi-antonym of the structurally parallel *sacful* ‘contentious’.

In sum, Wulfstan’s interests, his linguistic creativity and his possible use of *III Æthelred* when composing the *Peace of Edward and Guthrum* can account for most of his earliest uses of Norse-derived terms. Later uses, as suggested above, 7.1.1.2, can be explained as mere developments of early

23. *ōran* is recorded, for instance, in Aldred’s glosses to the Lindisfarne Gospels, S 1448 (ca963), an assignment of property to Thorney Abbey possibly dating from the tenth century (Robertson 1956:App. II, no. 9), *III Æthelred* and the *Peace of Edward and Guthrum*. *Healfmarc* is used in the same legal codes, as well as in Alfred’s treaty with Guthrum.

24. The date of this code is problematic. See the note on this code in Table 14.

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practices, ‘constrained usage’,²⁵ or contact with the Danish court and, possibly, with his northern see. There are only three aspects of Wulfstan’s early Norse-derived terms which are slightly more problematic if Wulfstan is assigned a West Saxon origin:

(1) *Eorl* is used already in texts earlier than Cnut’s reign without any local constraint, which may suggest a high degree of familiarity on Wulfstan’s part with Old Norse speakers. This semantic expansion, however, would have been very easily accomplished, and can be associated with that undergone by *lagu* (see above, Chapter 3).

(2) *Bōnda* is unprecedentedly (as far as the extant records are concerned) used in *VIIa Æthelred*. Nonetheless, despite having much fewer attestations than some of the most widely spread Norse-derived terms, it appears in texts with southern connections,²⁶ and this may hint at its popularity outside the Danelaw.

(3) *Dræl* is recorded very early in the Wulfstanian corpus, while all the previous texts containing it are associated with the Danelaw, viz. the glosses to the Lindisfarne and Rushworth Gospels and to the Durham Ritual, and *II Æthelred*. Its use in the mid-eleventh-century Old English glosses to Ælfric’s *Colloquy* (ÆColl 201), attributed to Ælfric’s pupil Ælfric Bata or

25. The terms which owe their occurrence in the Wulfstanian canon to ‘constrained usage’ can also be said to have enjoyed some familiarity throughout England. *Hold* with the sense ‘Danelaw official’ is recorded already in ChronA (Bately) 904 (cp. ChronC [O’Brien O’Keeffe] 905 and ChronD [Cubbin] 905) to refer to Ysopa and Oscytel, two of the members of the East Anglian army which joined Æthelwold in his raiding expeditions. The semantic loans *uncwydd* and *unbecrafod* (like *frīð* and possibly *n[ā/æ]m*), as well as the loan-translation *hāmsōcn* (like *frīðlēas* and *drincelēan*) would not have been completely alien to an Anglo-Saxon audience either because, even though their specific meaning may not have been immediately transparent in all cases, their form would have been easily recognizable.

26. The simplex means ‘man’ (‘hit bonda si hit wif’ [‘whether it be a man or a woman’]) in a list of guild members of Woodbury which could be assigned to the late eleventh or early twelfth century (see Westlake 1919:4; and Förster 1933:44, note 2), while the compound *hūs bōnda* is recorded, for instance, in Mt (WSCp) 20.28, a gloss which may date from the late tenth or early eleventh century and which may originate from Canterbury (see Liuzza 1994–2000:I, xlii, and II, 49 and Chapter 4).

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his school by Porter (1996:643 and 1997:43),²⁷ cannot be easily presented as evidence of the wider familiarity of the term during the earliest years of Wulfstan's career.²⁸ It may be an indication of the fact that this word had a wider usage than suggested by the records, for Skaffari (2001) includes it, together with *lagu*, *grið* and *eorl*, in the list of the ten most frequently used Old Norse loans during the earliest Middle English period (1150 x 1250). However, the incorporation of *ðræl* into the pool of possibilities to express the concept 'slave' in later works from areas outside the Danelaw could also be attributed to the wide circulation of Wulfstan's texts themselves, which is suggested by the fact that Wulfstan's works were being copied already in the eleventh century in houses which cannot be identified with Worcester or York (see below, 7.2 and note 15 in Chapter 8). Another possibility for the path through which the word may have been known in these areas is more interesting because it could also offer an explanation for its availability in Wulfstan's idiolect. Given that *II Æthelred*, which Keynes (1991:103–104) dates 994, is intended to supersede earlier treaties by Archbishop Sigeric of Canterbury, Ealdorman Æthelweard of Western Wessex and Ealdorman Ælfric of Hampshire (see Keynes 1991:104), it is possible that a copy of the text was sent to those areas. Wulfstan's deep (and probably long) friendship with Archbishop Ælfric of Canterbury is well attested: he appears as both legatee and executor in Ælfric's will (S 1488, 1002 x 1005). Therefore, one could establish this friendship as a possible way through which Wulfstan became familiar with *II Æthelred*, to which he seems to refer in *Sermo Lupi* (see above, 6.1.2.1). This suggestion, however, cannot go any further than the realm of mere speculation. What is interesting is that, *pace* Pelteret (1991 and 1995), this term has not necessarily acquired negative

27. The authorship of the glosses has been a highly debated topic. Garmonsway (1978:15–16) does not identify anyone as the possible author of the glosses, but rejects Ælfric's authorship. Lendinara (1983:188ff) attributes the glosses to Ælfric himself, while Hill (1998:146) accepts Porter's opinion. Garmonsway (1978:16) and Gneuss (1997:40) have identified some south-eastern features in the glosses. It is not clear whether they should be associated with the fact that the only manuscript where they are recorded, viz. London, British Library Cotton MS. Tiberius A.iii, has been attributed to Christ Church, Canterbury, by Gneuss (1997); or with Bata's possible connection with Canterbury (see Brooks 1984:266). On what is known about Bata, see Porter (1995 and 1997:1–2) and Kornexl (1993:cxxx–cxxxiv).

28. *Dræl* actually renders L *coquus* 'cook', which is opposed to L *dominus* 'lord'.

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connotations in Wulfstan's idiolect, but it is simply used according to its technical sense.

The analysis presented in the lines above suggests that Wulfstan could have acquired many of his Norse-derived terms without necessarily having close contact with people whose dialect had been highly influenced by Old Norse. Similarly, these terms do not offer much evidence to doubt the common assumption of Wulfstan's West Saxon origin. Admittedly, a south-east midland origin may present a good explanation for his Norse-derived vocabulary, especially his unprecedented uses. Clark (1983:7–14) summarizes the available data regarding the Scandinavian presence in this area. She concludes that the Norse-derived place- and personal names, together with the Old Norse loanwords, reflect a 'mixed culture – predominantly English, but with a Scandinavian tincture well blended in' (1983:17).²⁹ Nonetheless, as the following section shows, there is not much historical or linguistic evidence to locate Wulfstan's origin in the south-east midlands rather than in a West Saxon speaking area.

7.1.3 WULFSTAN AND THE SOUTH-EAST MIDLANDS

7.1.3.1 HISTORICAL EVIDENCE

Whitelock's consistent attribution of Wulfstan's Norse-derived terms to his contact with York is somewhat surprising because she (1976:7) highlights that Wulfstan's burial in Ely suggests that he may have been connected with eastern England early in his career. The chronicle of Hugh Candidus also indicates that he was honoured at Peterborough (see Mellows 1949:73; and Mellows & Mellows 1966:36), which leads Whitelock to hypothesize that 'it may have been family connections which made him a benefactor of at least two Fenland monasteries' (1976:8). The *Liber Eliensis* says that Wulfstan was a 'monachus' ('monk') (see Blake 1962:156; and Fairweather 2005:185), but it does not identify where.³⁰ If Ely is discarded (*pace*

29. On the Scandinavian presence in Cambridgeshire, see also Whitelock (1945b) and Sandred (2001:45–54).

30. Similarly, Wulfstan is not included in the list of abbots of any community, even though Florence of Worcester identifies him as such (see Darlington et al. 1995:452–53).

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Godfrey 1962:342) because he is not mentioned as a member of the house by either the *Liber Eliensis* or a twelfth-century Ely calendar,³¹ one could still argue that he was a monk in one of the other Fenland monastic communities, such as Peterborough, Thorney or Ramsey (cp. Cooper 1970:4; and Whitelock 1976:8). Yet, this does not need to be the case because, for instance, Archbishop Ælfric (1023–51), Wulfstan's successor, chose Peterborough, the nearest monastery to Northumbria, as his burial place despite having been a monk of Winchester (see Cooper 1970:3), and his name is included in the *Liber Vitae* of Thorney Abbey. Cooper (1970:14) tentatively associates the latter record with Ælfric's years as archbishop of York, and Wulfstan's connection with the eastern Danelaw may date from a similar period.

Since historical documents are not particularly helpful in determining Wulfstan's connection with the Anglian speaking areas, it is necessary to look for linguistic features in his idiolect which may point in that direction.³²

7.1.3.2 LINGUISTIC EVIDENCE

After the definitive conclusions presented by Menner (1948), devoting a section to the Anglian features of Wulfstan's language may seem unnecessary. A possible excuse for this section is that Menner drew his conclusions from his analysis of lexemes, and he did not pay much attention to phonological features. Their analysis presents similar results, however.

Any study on Wulfstan's language should focus on the annotations in the hand which Ker (1948:70–72 and 1971) identified as Wulfstan's.³³ As noted

31. On Wulfstan's obit, see Dickins (1937:23).

32. Clark (1983) compares the use of *eorl* by Wulfstan and the poet responsible for *The Battle of Maldon* as though the two come from the same dialectal area (cp. Whitelock 1965:226; and Scragg 1981:27). However, given the uncertainties surrounding not only the meaning of *eorl* in the poem, but also its date and place of composition (see Pons-Sanz 2004b:176–79, with references), the dialectal association of the two authors is not as straightforward as suggested by Clark's article.

33. This identification has not passed unchallenged. The main opponent was Hohler (1975:225, note 59). Not showing such a degree of incredulity, Wormald was 'a little unhappy about the notion that Wulfstan personally copied out verses so extremely flattering to himself as those in BL Cotton Vespasian A.XIV' (1978:52). Yet, he

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by Whitelock (1976:37–38), most of the features of his language agree with late West Saxon practices. His idiolect does include two features which do not follow the main trend within late West Saxon; however, they cannot be clearly identified as belonging to any other dialectal area:

- (1) There is a high percentage of unsyncopated forms in the 2nd and 3rd person singular present indicative of weak class 1 verbs (e.g. ‘[ge]hyreð’, ‘forhicgeð’ in Nero A.i, fo. 109^v), which should be associated with the high proportion of unsyncopated forms of strong verbs in Wulfstan’s texts (see Bethurum 1957:53). Nonetheless, despite the common use of unsyncopated forms in Anglian, they are also found in West Saxon, where they are more common in weak than in the strong verbs, especially after liquids or nasals.
- (2) Wulfstan, like Mercian scribes (see Campbell 1959:§183; and Hogg 1992b:§5.65), is very consistent in choosing the spelling <scold-> instead of <sceold-> for the preterite of *sculan* ‘to be obliged, must’ (e.g. <scolde> in GKS 1595 4°, fo. 9^v; <scoldan> in Nero A.i, fo. 100^v). Yet, even in West Saxon there exists some variation:

As a general guideline it can be stated that <e> is less likely to be inserted before $\bar{o}$ than before $\bar{a}$, and that such insertion is more likely in LWS [late West Saxon] than EWS [early West Saxon] (Hogg 1992b:§5.69).

Possibly more interesting than these features is the fact that, although the hand discussed by Ker does not tend to write <e> for /æ:²/ (e.g. <lære> in GkS 1595 4°, fo. 66^v, with *i*-umlauted /ɑ:/ < PGmc */ai/; cp. OE *læran* ‘to declare, teach’ and Go. *laisjan* id.), and nor do the contemporary scribes of the York Gospels, a case of <e> for /æ:²/ is found twice in Wulfstan’s works: <heðendom> in Nap 60 309.16–17 (cf. <hæðenscype> in Nap 60 309.14) and <hepene> in ChronD (Cubbin) 959.15 (cp. OE *hæðen* ‘heathen’ and ON *heiðinn* id.). Both cases offer perfect examples of Hogg’s

seems to have lost most of that scepticism over the years, for he admitted some time later that ‘for me decisive (amidst much other evidence) is Cotton MS Vespasian A.xiv, where a poem in Wulfstan’s honour is glossed by his hand in a way that seems inconceivable except as the archbishop’s own work’ (1999d:188, note 108; cp. Wormald 2000:192–94). Recent support for Ker’s identification also comes from Cross & Brown (1993:73–75) and Tunberg (1993b:44–49).

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explanation that ‘in Anglian, esp. Merc., there are indications that this /æ:/ was subsequently raised before dentals’ (1992b:§5.79, note 1). Cubbin (1996:cxl) records only one other form in the part of MS. D of the *Anglo-Saxon Chronicle* written by ‘scribe two’ where <e> represents *i*-umlauted /a:./ (viz. <adrefan> in ChronD [Cubbin] 755.8). Cubbin comments that these forms ‘may be interesting as possible examples of Anglian dialect, but their importance here is that examples are rare’ (1996:cxl). It is difficult to know how to interpret this feature. It could be authorial because, on the one hand, it seems suspiciously coincidental that this rare spelling in MS. D of the *Chronicle* appears in a passage attributed to Wulfstan. On the other hand, considering that Wulfstan introduced some additions in fos. 158^r–159^v of the York Gospels, where *Nap 59*, *Nap 60* and *Nap 61* are copied, one may have expected him to correct a spelling he did not approve of. However, the unsafe character of this assumption has already been mentioned (see above, 2.3.4.1; see also below, note 36 in this chapter). Indeed, it may be the case that, like the other non-West Saxon elements in the manuscripts containing Wulfstan’s homilies described by Bethurum (1957:50–51), one should attribute the presence of <e> to a local scribal *patois* (cp. Dance 2004:30–36).³⁴

Taken separately, these features do not offer enough evidence for the association of Wulfstan’s idiolect with the south-east midlands. When taken together, they simply suggest that the possibility cannot be discarded. After all, ‘*scriptoria* of the Anglian area in late Anglo-Saxon times trained scribes, with varying degrees of success, to write West Saxon even though they spoke Anglian’ (Stanley 1969:68).³⁵ Given that some of the corrections attributed to Wulfstan ‘show that the writer set store by linguistic minutiae’ (Whitelock 1976:38),³⁶ the spelling practices of the Wulfstanian hand may

34. MS. D of the *Anglo-Saxon Chronicle*, i.e. London, British Library Cotton MS. Tiberius B.iv, is generally thought to have been written in Worcester (see Wormald 1993; and Cubbin 1996:lxviii–lxxx). Thus, it may be that <e> was introduced by ‘scribe two’ or any other intermediary between the extant text and the Wulfstanian original.

35. On this early ‘standard’, see Derolez (1958) and Gneuss (1972).

36. E.g. <reccesele> is corrected to <recese> in the prefatory letter to Alfred’s *Pastoral Care* in Oxford, Bodleian Library MS. Hatton 20, fo. 1. On Wulfstan’s approach to non-late West Saxon features in his alterations to this letter, see Ker

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suggest that Wulfstan could have been a careful scribe whose non-West Saxon features were commonly suppressed in favour of the West Saxon equivalents.

However, given that neither historical nor linguistic data present enough evidence to associate Wulfstan with Anglian rather than West Saxon speaking areas, one must seek other possible reasons for his selection of (and, in some cases, clear preference for) Norse-derived terms.

7.2 THE CORRELATION BETWEEN NORSE-DERIVED TERMS AND AUDIENCE

Whereas Whitelock would want to attribute Wulfstan's familiarity with the Norse-derived terms in his canon to his contact with the Scandinavianized population of York, Bethurum argues that the effect that his northern diocese may have had on his vocabulary has to do more with the selection of the terms than with their acquisition: 'These are only to be expected of a man who addressed audiences in York' (1957:54). Yet, this statement is as problematic as Whitelock's because, on the one hand, it assumes that Wulfstan was aware of the dialectal character of these terms, and selected them instead of their native synonyms to accommodate his Scandinavianized Northumbrian audience. On the other hand, it does not take into account that Wulfstan also held a southern diocese where the Scandinavian influence was much less important (see above, 7.1.2.2). Wulfstan says that bishops should shout, denouncing sins and proclaiming God's laws (WPol 2.1.1 [Jost] 43). This is presumably what he would have tried to do, not restricting his works, knowingly, to the use of vocabulary clearly associated with one dialectal area which could be suspected to be difficult to understand outside his archdiocese.³⁷

(1956:24–25) and Dance (2004:37–43). The latter notices that the common characteristic of the features altered by Wulfstan is that they 'were vanishingly rare in his own day in any dialect' (2004:42).

37. Scragg (1977), Wilcox (1992) and Morrison (1995) have provided plentiful evidence in favour of his success in making his voice widely heard. His homilies have been used as models in texts copied throughout the eleventh century at least in Worcester, Winchester, Exeter, Ramsey and Canterbury and Rochester.

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If one accepts that, at least, the homiletic works written during the period 1002 x 1016 would have had the two sees as the primarily intended audience, the question lies in the identification of the immediate audience for his legal codes. Whitelock (1941) argues convincingly that the *Peace of Edward and Guthrum* was probably composed to improve the ecclesiastical situation of the Northumbrian archdiocese (see above, 1.1.1.2 and 1.1.2). There is consensus on the private character of the so-called ‘compilation on status’ and *Grið*. While the former, with the possible exception of *Hadbot*, was mainly intended for the use of a legislator, the latter would have had a larger audience, as the homiletic character of its second part (viz. LawGrið 19–31) implies.

The status and audience of the Æthelredian and Cnutian codes are more problematic. The *Liber Eliensis*, underneath common hagiographical language, records that Wulfstan was a trusted friend and advisor of Æthelred and Cnut (see Blake 1962:156; and Fairweather 2005:185).³⁸ Cooper (1970:7) reminds us that after 1018 Wulfstan was the senior archbishop in date of consecration, which may have been the reason for his witnessing before Archbishop Æthelnoth of Canterbury in some charters of the period (e.g. S 958 and S 980). How this status correlates with his involvement in the drafting of legal codes is more difficult to establish, partially because the actual relationship between written word and legal enforcement is still a highly debated topic among Anglo-Saxon historians.³⁹ Since an answer to the aforementioned question should be expected from them rather than from a linguist, this study will not try to provide a full account, but merely some hints.

The situation seems to be clearer as far as Cnut’s codes are concerned because the style of *Cnut 1020* suggests that Wulfstan’s involvement was restricted to some alterations and additions. Afterwards, he may have used it when preaching, as suggested by the word ‘amen’ at the end and its codicological association with *Nap 59*, *Nap 60* and *Nap 61*. *I–II Cnut* was given royal approval at a Christmas court in Winchester (LawICn 0.1) and

38. See Bethurum (1957:63) for several cases when Wulfstan’s legal knowledge would have been used by Æthelred.

39. On this discussion, see Loyn (1984:106–18), Keynes (1990), Clanchy (1993:26–32) and Wormald (1999b).

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was probably publicized around the country. Lawson proposes an interesting hypothesis regarding the genesis of the Æthelredian codes and *Cnut 1018*:

[T]he bishops held deliberations of their own, and then received the King's permission to preach on various matters, which those assembled promised to heed, possibly by oath; once this had been done, Wulfstan could quite legitimately publicize his preaching as decrees of the *witan* [...] Whether they were really the means by which Æthelred's government implemented its decisions might well be doubted (1992:574 and 577).

Wormald (1978:64) places more emphasis on the fact that it was Æthelred and his council who pronounced law, but suggests, in a similar way to Lawson, that in late Anglo-Saxon England 'formal royal law-making may have remained oral and our texts may be more in the nature of ecclesiastical records of decisions taken than legislation acts in themselves' (1977:112). Even if Wulfstan's codes (with the probable exception of *I-II Cnut*) were not official texts, and did not enjoy the advantage of having royal backing for their distribution, it is fairly safe to assume that Wulfstan would probably have used them for preaching in his bishopric and archbishopric, and that copies would have been circulated for others to preach, possibly inside and outside his jurisdiction.⁴⁰

A comparison between the Norse-derived terms of the Northumbrian-oriented *Peace of Edward and Guthrum* and the other codes, *I-II Cnut* in particular, indicates that the only two words which may support Bethurum's argument are the monetary terms *ōran* and *healfmarc*, which do not appear in any other compositions by Wulfstan. Furthermore, given that *I-II Cnut* has a status closer to an official legal code than any other of Wulfstan's texts, fewer Scandinavian loanwords would have been expected because of

40. Wormald admits that 'it is true, even disturbing, that the full versions of the Enham decrees exist only in manuscripts with York/Worcester associations and, unlike most extant Anglo-Saxon legislation, they never found their way into the great south-eastern collections of the twelfth century' (1978:56). However, he also points out that there is no reason to attribute the Vatican fragment containing *X Æthelred* to any of these scriptoria (see also Ker 1990:no. 392), and 'it therefore shows that he [Wulfstan] wrote laws with an official ring, and that these circulated outside his dioceses' (1978:56).

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its wider intended audience, so long as other issues were not taken into account (see below 7.3).

One may also feel tempted to compare the high number of Norse-derived terms in the *Peace of Edward and Guthrum* with their poor presence in *VIIa Æthelred*, a code demanding penance and fasting as a way to ‘feondum wiðstandan’ (LawVIIaAtr 0.1).⁴¹ It is not possible to detect the presence of Wulfstan’s style in the Latin version included in the *Quadripartitus*, but his influence is recognizable in the reference to the sale of Christians as slaves overseas (cp. Wormald 1978:58). This manuscript context argues then in favour of the wide circulation of the original Wulfstanian text. The fact that this text only contains three Norse-derived terms (viz. *lagian*, *bōnda* and *ðræl*), however, can be explained as a result of the religious rather than secular nature of its decrees. In fact, the three terms appear in the context most closely connected with the legal sphere of life, viz. the explanation of the fines to be applied if the penny is not duly paid (LawVIIaAtr 3). Likewise, if the fact that *Cnut 1020*, *Nap 59*, *Nap 60* and *Nap 61* are only recorded in the York Gospels is understood as an indication that they were intended to be used specifically at York, it is noteworthy that they have very few Norse-derived terms, and that the majority of them belong to the *lagu* and *grið* word-fields, the two word-fields in Wulfstan’s canon which probably enjoyed the highest degree of familiarity in non-Scandinavianized areas by 1016.

Sermo Lupi has the largest number of Norse-derived terms in its genre and a similar number to those legal codes which exhibit the highest concentration of these terms in the canon (see above, 7.1.1.2). The different origins of the eleventh-century manuscripts containing it hint at its wide circulation. While the second part of Nero A.i (= Bethurum 1957 MS. I) and Oxford, Bodleian Library, Hatton MS. 113 (= Bethurum 1957 MS. E) can be associated with Wulfstan’s sees, Cambridge, Corpus Christi College MS. 419 (= Bethurum 1957 MS. B) is attributed by Wilcox (1992:202 and 208, note 40) to a south-eastern house (possibly Ramsey). Corpus 201 (= Bethurum 1957 MS. C) has been assigned several non-Worcester origins

41. ‘Withstand the enemies’. On the common association between penance, politics and secular laws, see Hough (2000), Hamilton (2001:184–90) and Williams (2003: 93–94).

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(e.g. Canterbury, Winchester or the regions of Mercia).⁴² Thus, rather than attributing the important presence of Norse-derived terms to the text's audience, they could be associated with its fusion of legal and homiletic features because, except for *ðrǣlriht* and *griðlēas*, it does not record different terms from those used in other compositions. *Sermo Lupi* represents the best example of the legislative character acquired by the late Wulfstanian homilies (see above, 1.1.1).

The lack of clear correlation in the Wulfstanian canon between the selection of Norse-derived terms and a Scandinavianized audience has two important consequences for this study:

- (1) Sisam's (1953:285–86) use of the presence of *bōnda* and *cyrīcrēn* in *VI Æthelred* and their absence from *V Æthelred* as evidence in favour of identifying the former as a document aimed at parish priests in the province of York cannot be straightforwardly accepted (see above, 1.1.1.2).
- (2) More importantly, one needs to find alternative reasons for Wulfstan's selection of Norse-derived terms, and this is the aim of the remaining lines in this chapter.

7.3 ALTERNATIVE REASONS FOR WULFSTAN'S USE OF NORSE-DERIVED TERMS

Wulfstan's lexical choices appear to have been influenced by both linguistic and extralinguistic issues. Among the former, phonetic, semantic and stylistic features are likely to have been the most significant. As far as extralinguistic factors are concerned, the existence of different customs throughout England and fashion trends in legal language can be identified as the key reasons for his selection of Norse-derived vocabulary.

This section concentrates only on the words which seem to have been freely chosen by the archbishop, and leaves aside those terms the presence of which clearly depends on 'constrained usage' (viz. *hold*, *uncwydd*,

42. On the origins attributed to Corpus 201, see Whitbread (1959), Hill (1991:311 and 1992:113–14), Wilcox (1992:202) and Wormald (1999d:206–10). Oxford, Bodleian Library, Bodley MS. 343 (= Bethurum 1957 MS. H) dates from the second half of the twelfth century, and originates from an unidentified house in the west midlands (see Ker 1990:no. 310).

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unbecrafod; see above, 5.3.3 and 6.1.3.1). This turns them into representatives of the legal language expected of Wulfstan.

7.3.1 LINGUISTIC REASONS

7.3.1.1 PHONETIC STRUCTURE

Phonetics may have had a significant effect on the substitution of *lagu* for *ǣ(w)* (see above, 3.1 and 3.2.3) in English. Even so, it is difficult to accept Clark's (1952–53:75) suggestion that the brevity of the native term gave it a disadvantage in its fight for survival with *lagu* as the primary reason for the substitution. More interesting is Dance's (2003:314–15) association of *lagu* with L *lex* 'law' (oblique cases *leg-*). As he points out, it is phonetically closer (and was familiar in England earlier) than Fr. *loi* 'law', the term which Fischer (1989:113) brings forward as the contributor to the survival of *lagu*. However, as Dance himself notes, the similarity with the Latin term may have played a much more significant role in the process of final survival of *lagu* than in its initial selection as a legal term. Other reasons, such as those presented in 7.3.1.2 and 7.3.2.2, may have been much more influential in Wulfstan's choices.

Word length (and morphological structure) may have contributed to making *eorl* preferable over *ealdormann* in Wulfstan's 'active repertoire' (see above, 6.1.1.2). Linguistic economy argues against using a (composite) word with three syllables when the same concept can be expressed by a shorter and structurally simpler term. However, it is obvious that speakers (and Wulfstan in particular) are not always led by this principle.

7.3.1.2 THE RELATIONSHIP BETWEEN THE SEMANTIC AND LEXICAL FIELDS

The significance of this factor is most clearly exemplified in the use of *lagu* to represent 'law'. *ǣ(w)* suffered from 'comparative inefficiency' (Hope 1971:709–14) because of its polysemic character (see above, 3.2.3), a disadvantage which *lagu* did not have (at least when adopted in Old English).⁴³ Thus, for instance, *riht ǣ* should be translated as 'just law' in

43. On the polysemic character of the singular ON *lag*, see above, note 39 in Chapter 2. On the importance of polysemy as a cause for borrowing, see also Gómez Capuz (1998:263–72).

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HomS 24 (ScraggVerc 1) 269,⁴⁴ whereas, in Ælfric's texts, the same words (with the only difference that *ǣ* is spelt <æw>) can be translated as either 'legitimate marriage' (e.g. ÆCHom I, 2 190), or 'legitimate wife' (ÆCHom I, 9 280). Wulfstan 'solved' the problem by using *riht lagu* for the first meaning and *rihtǣw* for the last one (e.g. WCan 8, 21, 61). In Wulfstan's original works the native term is restricted to the semantic field of 'marriage', while the loanword takes over the references to the semantic field of 'law' (cp. Stanley 2004:435). The reflex of the loanword may have been polysemic in Middle English (see *MED*, s.v. *laue*), but all its meanings revolve around the concept of 'law' rather than belonging to different semantic fields.

When Wulfstan started his career as a homilist, he would have perceived the difference between the increasing use of *lagu* to refer to secular laws and the use of *ǣ(w)* to refer to religious laws. The collocation *Godes ǣ(w)* is found one hundred and two times in *OEC*. Ælfric was particularly fond of this phrase: his texts account for sixty-three of its occurrences (61.76%); twenty-three of them (36.5%) are found in his *Catholic Homilies*, which were composed ca990 x 995.⁴⁵ However, to a person who demanded that worldly laws mirror those dictated by God (e.g. LawGrið 24, LawVIIIatr 36) such lexical distinction may have seemed unnecessary. In fact, *Godes lagu* became Wulfstan's favourite collocation (see above, 3.2.5.2).⁴⁶ This collocation allowed him to put his preaching into practice even from a lexical perspective because it expresses the basic fusion of the divine and worldly spheres of his career and human life in general.

The unification of the terminology referring to 'law' or 'decree' is also present as far as other members of the lexical field are concerned. This is in keeping with the 'same meaning, same form' principle (i.e. the tendency towards the elimination of synonymy), which Tiersma (1999:113) presents as one of the characteristics of legal language. Wulfstan's works exhibit a

44. Only in Scragg's (1992) MS. E (viz. Oxford, Bodleian Library MS. 340).

45. On the attribution of the *Catholic Homilies* to the earliest period of Ælfric's career, see Clemoes (1966:179 and 181, and 2000:37 and 56).

46. That it was a collocation widely recognized as Wulfstan's is suggested by *Nap 30*; its author decided to Wulfstanize his work by adding, among other Wulfstanian expressions, *griðian and friðian* (see above, 4.1.1.3) and *Godes lagum fylgan*, as noted by Scragg (1977:208) and Wilcox (1992:210–11).

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clear predominance of *lagu* to refer to this concept, the exceptions to this tendency having mainly to do with relics of past usage (e.g. the uses of *dōm* instead of *lagu*; see above, 3.2.1), established legal wording (e.g. the selection of *gerādnēs* instead of *lagu*; see above, 3.2.2), and the expression of the unity of divine commandments, justice and law and its necessary application to the worldly realm (e.g. the cases when *riht* is used as a synonym of *lagu*, which, in any case, is not at odds with traditional usage, and the interchangeability between *bebod* and *lagu* when they derive from God; see above, 3.2.4 and 3.2.5). The relationship between *lagu* and *riht* is complicated. On the one hand, the tendency towards the unification of the terminology for ‘law’, together with Wulfstan’s genuine taste for the loanword, must have played a significant role in his substitution of *folclagu* and *woruldlagu* for *folcriht* and *woruldriht*, respectively, except when ‘constrained usage’ was at work. That tendency, however, had the counter-effect of leading him to use *lagu* in contexts where *riht* would have been expected instead (e.g. the selection of *ðegnlagu* in contexts where *ðegnriht* may have been more appropriate; see above, 3.2.5.3). On the other hand, the two simplexes are sometimes joined in a compound, viz. *rihtlagu* and *lahriht*, with which Wulfstan is able to exploit the simultaneous association of the native term with ‘right’, ‘justice’ and ‘law’, and to express a closer relation between these concepts than a phrasal structure may have allowed for.

The relationship between *ðrāel* and *ðēow* bears some similarity to that of *lagu* and *ā(w)*. The native term was associated not only with the state of slavery, but also with ‘service’ in general. Thus, *TOE* assigns to it (either as an *a*-stem noun or as a weak noun) the meaning ‘monk’ (16.02.03.03.02), as well as ‘servant, attendant’ (12.01.01.08.01), ‘slave’ and ‘an enslaved person’ (12.01.01.09). By using *ðrāel* Wulfstan can emphasize the idea of slavery; doing so is important when the differing consequences of serving God and the Devil are under analysis or when the word appears together with *ðegn*. Wulfstan is happy to coordinate members of the *ðēow* and *ðegn* word-fields when referring to the service of God because they allow him to place humans’ bondage to Him in a wider perspective, and to capture the apparently paradoxical condition involved in that relationship. This is not the case when the focus lies on social status. In those contexts it is fundamental to emphasize the difference between the contrasted terms, and

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this would not have been as easily done if a term which can be used as a synonym of *ðegn* had been selected instead (see above, 6.1.2.1).

The cases where the selection of *ceorl* in the Wulfstanian canon is not determined by ‘constrained usage’ or the phonetic effects derived from its contrast with *eorl* or *ðēowetling* and *frēot* hint at a tendency in Wulfstan’s works towards splitting the meanings previously associated with that term. *Ceorl* is mainly used to express the meaning ‘husband, man who cohabits with a woman’, while *bōnda* is the chosen term when legal issues associated with property or status are concerned (see above, 6.1.1.1). As with *ðēow*, the uses of *ceorl* outside the Wulfstanian canon were not restricted to its original meaning. *TOE* indicates in section 12.08.06.02.06 (‘deceit, evil, wickedness’) that the term could also mean ‘a rogue’, a sense which could have made a statement like ‘swa embe friðes bote, swa ðam [ceorle] si selost 7 þam þeofan si laþast’ (based on LawIICn 8) somewhat confusing.⁴⁷ At the same time, Wulfstan’s selection of *ceorl* and *ðēow* instead of the more restricted Old Norse loanwords following the requirements of style hints, like many other contexts, at his willingness to reach a compromise between semantic precision and stylistic elaboration. This compromise was not too problematic because the native terms were, in any case, the traditional ones used in Anglo-Saxon legislation. Therefore, by selecting them, Wulfstan does not depart from the language expected of him.⁴⁸

By opposing *frið* and *grið*, Wulfstan can establish a distinction between peace or protection in general and that of a special kind (see above, 4.1.1). While this ‘overdifferentiation’ was not significant enough outside his works to survive, the important role played by the concept of ‘status’ and the ideas behind the Peace of God in his works make the possibility of establishing this distinction very useful. The relegation of *frið* to the indication of ‘peace’

47. ‘Improvement of security as is best for the householder and worst for the thief’.

48. The wide range of meanings which *ealdormann* had during the ninth century, described by Loyn (1953), cannot be easily used as a reason to make *eorl* preferable over it because Stafford explains that in the tenth century this term underwent a process of specialization by which it meant only a ‘local ruler acting in the king’s name and on the king’s behalf’ (1999:152). As explained above, 5.3.2, the apparent lexical division of the semantic field of ‘guarantees’ between *wedd*, *borg* and *n[ā/æ]m* probably responds to stylistic reasons rather than to an attempt at restructuring the lexical field.

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or ‘protection’ in general, and its use in a culture where outlawry has apparently become a common penalty facilitates the development of the loan-translation *friðlēas* as a reference to an outlaw, and, hence, the attribution to *frið* of the rather more specialized meaning ‘right of peace or protection granted by the legal society’ (see above, 4.1.1.1).

The full incorporation of *lagu*, *grið*, *eorl* and *ðræl* into Wulfstan’s ‘active repertoire’ should be associated with their mushrooming word-fields, composed of already existing terms and Wulfstan’s own new-formations. Maley explains that

[t]he first and most obvious way to regulate a domain of social experience or activity is to develop a specialized and technical vocabulary which will conceptualize the semantic field as a set of related terms, and fixed or semi-fixed collocations (1944:22).

Thus, when one of the central terms changes, complexes based on it have to develop so as to allow for the expression of various concepts and ideas around the simplex. This process involves refilling lexical gaps which have arisen with the introduction of new terms: e.g. while *cyricfrið* and *ælic* (or *rihtlic*) are well-established in Old English, the use of *grið* and *lagu* to express some of the ideas previously expressed by their native synonyms creates the necessity to develop the equivalent compounds *cyricgrið* and *lahlic*. From this perspective, the generalization of the use of *lagu* would also have contributed to the popularity of *ūtlah* / *ūtlaða* which, thanks to folk etymology, provides a much clearer vision of the situation of the person described than the vaguer *flȳma* (cp. *inlagian*). It cannot be coincidental that the complexes enter the legal language once the simplex has already acquired the meaning ‘our law’ as well as ‘their law’, i.e. around the time of the Æthelredian legislation (see below, 8.1.1 and 8.2.1.1). This etymological interpretation and the semantic broadening of *lagu*, thanks to which it covers also the religious sphere, allow for the overlapping of the complexes with *āmānsumad* (see above, 3.1.3.2).⁴⁹

The *lēan* (‘reward’) word-field is commonly used in Old English for the expression of ‘recompense’ and ‘reward’, as section 10.03.05 in *TOE* shows. Given that these terms belong to a very productive type, and that the study

49. On the parallel changes undergone by semantically related words, see Lehrer (1985).

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by Charles-Edwards (1979) on the differences between the granting of land and moveable wealth indicates that, in a society like Anglo-Saxon England, gift-giving and grants played an extremely important role in the maintenance of the *status quo*, a term like *drincelēan* (if it has a similar meaning to ON *drekkulaun*) would have been very useful. It would have filled a lexical gap as an expression of another kind of reward, and, at the same time, it would have offered what can be interpreted as a technical term to refer to a way of acquiring possessions (see above, 5.4.1).

Weinreich (1963:§2.43) speaks about the existence of ‘onomastic low pressure areas’, which refer to those (normally affective or delicate) semantic areas in constant need of synonyms. As far as Wulfstan is concerned, it is clear that the semantic area of crimes qualified as such. In particular, regarding the semantic field of ‘theft’, Schwyter (1996:47) mentions the following terms as typically Wulfstanian: *ætberan* ‘to carry’, *cyrīcŕēn*, *nȳdniman* ‘to take by force, abduct’, *nȳdnāman* ‘to force, ravish’, *berȳpan* ‘to spoil, plunder’, *rȳpere* ‘robber’, *strūdung* ‘spoliation’ and *ðēodsceaða* ‘public pest, criminal’. It is not surprising then that Wulfstan may have used a loanword to increase the members of this lexical field (see above, 5.3.1).

7.3.1.3 STYLISTIC REASONS

A. Sound effects

The clearest example of the selection of a Norse-derived term out of the pool of possibilities because of the sound effect it bestows upon the context is that of *n[ā/ǣ]m*, because alliteration and the creation of a polyptoton make it preferable over its native synonyms (see above, 5.3.2). Alliteration has also been suggested as a possible incentive for using *grið* in the collocation *Godes grið* rather than the traditional *Godes gescyldnes* (see above, 4.1.1.2). Similarity at the end of the word rather than at the beginning (i.e. rhyme) was fundamental in making *eorl* preferable over *ealdormann* when it collocates with *ceorl* (see above, 6.1.1.2). *Unsaċ* offers a clear phonetic advantage over *saclēas* and their native synonyms: it echoes its declaration, *secgan*, as well as the word which describes such a declaration, *unlagu* (see above, 5.3.4).

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The effects created by ‘echoing pairs’ of complexes have been presented in the previous chapters as the reasons behind the use of many complexes belonging to the word-fields associated with some of the simplexes dealt with in this study, in particular *lagu*, *grið* and *ðræl*.

B. Exploitation of collocational patterns

The clearest example of Wulfstan’s alteration of his audience’s expectations is offered by the use of *ðræl* in *WHom* 9, where he changes the collocational pattern associated with the servants of the Devil – as far as both the head of the phrase and the modifier are concerned – to increase the suggestiveness of the passage, and to make his criticism against sinners much more striking (see above, 6.1.2.1). Whereas in this case there is a clear attempt to exploit the effects derived from such disruption, the same aim is not as evident as far as other contexts are concerned: e.g. the association between *ðræl* and *ðegn* or *Godes* and *grið*. In these cases other factors may have been much more significant, as explained in the previous sections.

In LawGrið 21.2 = WPol 6.2 (Jost) 137 Wulfstan exploits, not the alteration of a common collocation, but its familiarity. In this context *eorl* could be invested with both its older and its newly developed meaning, which presents another example of the different semantic layers of some Wulfstanian terms (see above, 6.1.1.2).

7.3.2 EXTRALINGUISTIC REASONS

7.3.2.1 DIFFERENT TRADITIONS

It would not have been difficult, even for a person without previous personal contact with Scandinavianized areas, to learn about their legal, monetary and social customs, and it is this knowledge that *lahslit*, *ōran* and *healfmarc* (as well as *hold*) represent (see above, 3.1.1.1 and 6.2.1). According to Hope’s (1971:723) terminology, these terms could be described as ‘exoticisms’ because of their clear association with the ‘lending culture’. *Eorl* in pre-Cnutian, non-Wulfstanian texts should also be included in this group. However, the alliance of phonetic and prestige / fashion factors could have easily led Wulfstan to cross over its semantic borders, which, in any case,

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would not have been completely impenetrable by the beginning of the eleventh century, as the *Maldon*-usage may suggest (see above, 6.1.1.2 and note 32 in this chapter). In this respect, Wulfstan's treatment of *eorl* can be associated with that of *lagu*.

7.3.2.2 FASHION IN LEGAL LANGUAGE

It is hard to dissociate Wulfstan's interest in legal issues and his awareness of the technoelect expected of him from his familiarity with the Norse-derived terms employed by broadly contemporary legislators.

Richards hypothesizes that one of the reasons behind the use of *lagu* (and, in particular, the collocation *Dena lagu*) may have been that Wulfstan thought that he was following traditional usage 'since the Danelaw was so closely linked with Ælfred and his accomplishments as a ruler' (1989:16). This may be true, especially if one remembers that Wulfstan showed his admiration for Alfred in the use of some passages of the king's code when drafting his own. However, precisely this familiarity with older enactments may have made him aware of the fact that this collocation had not been previously used (at least, as suggested by the extant records). Rather than looking at Alfred's reign for a reason behind Wulfstan's fondness for *lagu*, one should turn to Edgar's codes, which Wulfstan knew, compiled and emended, as well as to Æthelred's early codes (see above, 3.1.1).

The information presented in 7.1.2 and 8.1 suggests that the fashionable status enjoyed by *lagu* was also shared by *grið*, *ūtlah* / *ūtlaga*, *hāmsōcn*, and, possibly, *cost*, *bōnda* and the *sac* word-field. Wulfstan is likely to have incorporated these terms into his works because they had already acquired an argotic function, similar to those words which he retains following 'constrained usage'. In this case it can be understood as 'usage constrained by legal tradition'.⁵⁰ Stanley's attribution of Wulfstan's use of Norse-derived terms to the fact that 'he lived into the age of Scandinavian kings in England' (2001:249) is then more appropriate than Whitelock's or

50. It is not only the use of these terms that shows an argotic function, but also some of the collocations they appear in (e.g. the collocations with *ūtlah* / *ūtlaga*; see above, 3.1.3.2).

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Bethurum's views, although it does not consider that these terms have an important presence in Wulfstan's works already during Æthelred's reign.⁵¹

This view presents the high number of Norse-derived terms in *I–II Cnut* as derived, not from its being aimed at any specific audience, but from its official character, which, in fact, implies a much wider audience. If one accepts Wormald's (1978:53) suggestion that *X Æthelred* represents the closest text to the 'official' enactments published at Enham in 1008 (see above, 1.1.1.2), the common use of *lagu* and its complexes in a text which, despite being only a short fragment, has four different Norse-derived items, points in the same direction: Wulfstan's use of the Norse-derived terms as a means of affirming his familiarity with the legal technoelect (cp. Tiersma 1999:Chapter 5). Likewise, given that *Nap 51* is most probably a sermon intended to be preached before the *witan* (see above, 1.1.2), it is not surprising that it presents six different Norse-derived terms belonging to the *lagu* and *grið* word-fields.

7.4 CONCLUSION

This chapter has analysed any likely influence on Wulfstan's vocabulary from the three sources which are most commonly used to account for his Norse-derived terms: his contacts with his archbishopric, his possible East Anglian origin and his addressing a Scandinavianized audience. The distribution of these terms in the canon suggests that neither the first nor the third reason can be easily accepted, whereas the historical and linguistic evidence available is not strong enough to substantiate the second possibility. Instead of these locally-oriented reasons, others have been proposed in an attempt to understand what would have made these terms interesting for Wulfstan. These alternative explanations demonstrate that it is, generally speaking, too simplistic to give one single reason for the selection of a Norse-derived term instead of a native synonym. More

51. Godden also moves away from the association of Wulfstan's Norse-derived vocabulary with his contact with York, and suggests instead that 'he may have been somewhat more receptive [than Ælfric] to new words coming in through the colloquial language' (1992:532). However, the role of the 'colloquial language' as opposed to the 'technical language' in this respect is not very clear, especially when one looks at the character of the Norse-derived terms in Wulfstan's canon.

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research needs to be conducted on the integration of these terms into the different dialects of Old English and the appeal which they had for Old English speakers, and, in particular, as far as individual authors and individual works are concerned. The various general lists of Norse-derived terms which are available are useful but by no means sufficient. A closer study of these terms may stop automatic attributions of a text to a dialectal area on the basis of its use of Norse-derived terms, especially those of a technical character.⁵²

52. An example of this attribution is provided by Pelteret (1995:317). Noting the general restriction of *ðræl* to texts associated with the Danelaw, he suggests that its appearance in Wulfstan's texts responds to his relationship with 'the Norse world' (without any further comment), and that, similarly, the glosses to Ælfric's *Colloquy* may have a northern provenance.

CHAPTER 8

WULFSTAN'S IMPACT ON THE LEGAL LANGUAGE

8.1 NORSE-DERIVED LEGAL TERMS IN THE TEXTS PREVIOUS TO OR CONTEMPORARY WITH WULFSTAN'S

8.1.1 THE *LAGU* WORD-FIELD

Wulfstan's contribution to the semantic widening of *lagu* has been recognized for more than a decade (see above, 3.1, and below, 8.2.1.1). Bare numbers are indicative of his role in the general popularization of the simplex: whereas it appears one hundred and sixty-two times (57.7%) in his works, it is used on one hundred and nineteen occasions (42.3%) outside them in pre-Conquest texts.¹ If one discards the eleven times when it is used in the homilies printed by Napier (1883) which are not Wulfstan's but made up with fragments from his works and the twenty-five times when Ælfric used it after having been influenced by the language of the archbishop (see below, 8.2.1.1),² the occurrences of the simplex outside the Wulfstanian canon or its immediate area of influence are reduced to eighty-three. This reduction produces new percentages: Wulfstan's 66% vs non-Wulfstan's 34% uses of *lagu*.

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1. Not all the pre-Conquest texts are recorded in pre-Conquest manuscripts, which is the same situation that one has to face when dealing with Wulfstan's works.
 2. Godden (1978:215–16) counts only twenty cases in Ælfric's works from his middle and later periods, but he does not mention the four examples of this term in the homily *The Servant's Failure to Forgive* (Irvine 1993:no. 2) and the example in *De sex etatibus huius seculi* (Tristram 1985:195–201), both of which have been attributed to Ælfric by their respective editors.

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Table 12 summarizes the situation as regards the complexes of the *lagu* word-field.³

	Wulfstan's texts	Texts previous to or (near-)contemporary with Wulfstan's	
	Number of occurrences	Number of occurrences	1st recorded use and date outside the Wulfstanian canon
<i>inlagian</i>	2	3	ChronC (O'Brien O'Keeffe) 1050.2
<i>lagian</i>	12	1	ByM 1 (Baker/Lapidge) 2.1.74: 1010–12*
<i>lahlic</i>	1	1	LibSc 9.49: ca1000 x 1050†
<i>lahlice</i>	5	0	
<i>unlagu</i>	33	9	S 987 5: 1035
<i>ūtlah / ūtlaga</i>	15	24	LawIAtr 1.9a: ca980 x 1113‡
<i>ūtlagian</i>	0	25	ÆLS (Cecilia) 131: 992 x 1002°
<i>ǣlagol</i> 'law-giving' (OE <i>ǣ(w)</i> + OE <i>lagian</i> + OE <i>-ol</i>)	0	1	PrudGl 1 (Meritt) 628: ca1000 x 1050□

* This is the date assigned to the text by Baker & Lapidge (1995:xxviii).

† The Old English glosses to Defensor's *Liber Scintillarum* are only fully recorded in London, British Library MS. Royal 7 C.iv. Ker (1990:no. 256) dates the hand which wrote them ca1050.

‡ Unless otherwise stated, the dates of the legal codes are those given by Liebermann (1903–16).

◦ Ælfric's *Life of St Cecilia* is assigned to the broad period in which Clemoes (2000:56) includes the completion and publication of the *Lives of Saints*. In this respect, the first recorded uses of *ūtlagian* could actually be recorded in *ÆHom* 9 13, 173 and 180, for Pope (1967–68:147–48) attributes this homily to 998 x 1005. Notably, this verb is recorded earlier than its antonym, which may be a result of the popularity of its base, *ūtlah / ūtlaga*.

□ This is the date assigned to the glosses by Meritt (1959:ix) and Ker (1990:no. 7). The etymological explanation follows Meritt's (1959:note to 628) and Holthausen's (1934:s.v. *~lagol*).

3. Etymological and lexical explanations are provided only for those terms which have not been discussed so far.

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<i>burglagu</i> 'civil law' (< OE <i>burg</i> + ON <i>lǫg</i> / OE <i>lagu</i>)	0	1	PrudGl 1 (Meritt) 14: <i>ca</i> 1000 x 1050
<i>folclagu</i>	5	1	LawNorthu 46: <i>ca</i> 1028 x 1060
<i>griðlagu</i>	1	0	
<i>lahbreca</i> 'law-breaker' (< ON <i>lǫg</i> / OE <i>lagu</i> + OE <i>breca</i> ; cp. ON <i>lǫgbrot</i>)	0	1	LibSc 2.20: <i>ca</i> 1000 x 1050
<i>lahbrecende</i> 'law-breaking' (< ON <i>lǫg</i> / OE <i>lagu</i> + OE <i>brecan</i>)	0	1	LibSc 2.20: <i>ca</i> 1000 x 1050
<i>lahbryce</i>	5	0	
<i>lahcōp</i>	0	2*	LawIIIAtr 3: <i>ca</i> 981 x 1112 (997?)
<i>lahgewrit</i>	1	0	
<i>lahmann</i> 'official declarer of the law' (< ON <i>lǫg</i> / OE <i>lagu</i> + OE <i>mann</i> ; cp. ON <i>lagamaðr</i>)	0	1	LawDuns 3.2†: <i>ca</i> 920 x s. xi ²
<i>lahriht</i>	3	0	
<i>lahslit</i>	30	7	LawNorthu 20, 21, 22, 51, 52, 53, 54: <i>ca</i> 1028 x 1060
<i>lahwita</i>	1	0	
<i>mæglagu</i>	2	0	
<i>regollagu</i>	2	0	
<i>rihtlagu</i>	7 / 9	0 / 1‡	S 1124 8–9: 1047 x 1065 (but possibly a partial forgery)
<i>ðegnlagu</i>	4	1	LawRect 1: <i>ca</i> 960 (<i>ca</i> 1025?) x 1060
<i>woruldlagu</i>	11	0	
Total			
Number of tokens	149 (65.3%) / 151 (65.3%)	79 (34.7%) / 80 (34.7%)	
Number of types	20	16 / 17	

* LawNorthu 67.1 presents the more Anglicized form *lahcēap*.

† As pointed out by Wormald (1999d:381–82), even though the text may have been drafted as early as the 920s, the reference to the *lahmenn* is likely to be a later interpolation, possibly dating from the time when the text was associated with *II Æthelred*, on which see Wormald (1999d:222–23).

‡ These alternative numbers respond to the doubtful nature of the collocation *riht lagu* when used in the nominative (see above, note 119 in Chapter 3).

Table 12. Lagu-complexes in pre-Conquest texts

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The disproportion in the number of tokens recorded in the archbishop's texts as opposed to other Old English texts is obvious. It becomes even larger if one bears in mind that three of the compounds, viz. *folclagu*, *lahslit* and *ðegnlagu*, as far as non-Wulfstanian works are concerned, appear only in two texts where Wulfstan's influence or otherwise has been recognized, i.e. the *Northumbrian Priests' Law* and *Rectitudines*.

It should also be noted that the only terms which have a significant number of occurrences outside the Wulfstanian corpus and its area of influence are *ūtlah* / *ūtlaga* and *ūtlagian*. *Unlagu* comes next. However, in this case, the large disproportion in numbers between Wulfstanian and non-Wulfstanian texts suggests that the frequent occurrence of this term in Wulfstan's writings may have been fundamental for its acceptance as part of the Anglo-Saxon legal language. The importance of the use of formulaic terms and structures in legal texts is reflected in the fact that a sentence first recorded in S 987 5 ('ic nelle na gefafian þæt man þam bisceope ænige **unlage** beode') reappears, almost verbatim, in several other texts:⁴ e.g. two writs from Edward the Confessor's time (viz. S 1113 and S 1157), a writ from Harold's time (viz. S 1163) and a charter from William the Conqueror's time (viz. Bates 1998:no. 184). Wulfstan's possible contribution to this formula would involve only the increasing popularity of the term *unlagu*, not its union with *bēodan* 'to offer, decree, declare', a collocation which is not recorded in his canon. As explained above, 3.2.5.2, Wulfstan associated *unlagu* mainly with *āfyllan*, *āweorpan* and (*ā*)*rēran*. The latter is the verb with which *unlagu* collocates in the other cases where it appears in *OEC*, viz. ChronC (O'Brien O'Keeffe) 1052.52 = ChronD (Cubbin) 1052.2.59 and ChronC (O'Brien O'Keeffe) 1065.17. The first context bears close resemblance to a decree in *II Cnut*:

And se ðe **unlage rære** oððe **undom gedeme** heonon forð
(LawIICn 15.1)⁵

and geutlageden þa ealle Frencisce men þe ær **unlage rærdon** and
undom demdon, and **unræd ræddon** into ðissum earde (ChronC
[O'Brien O'Keeffe] 1052.51–53 = ChronD [Cubbin] 1052.2.58–60)⁶

-
4. 'I will not permit that anyone should do any wrong to the (arch)bishop'.
 5. 'And whoever henceforth promotes injustice or pronounces unjust judgement'.
 6. 'And then outlawed all the Frenchmen who earlier promoted injustice and pronounced unjust judgment and counselled bad counsel in this country'.

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The annal, which presents the only case of *undōm* outside the Wulfstanian corpus, suggests that familiarity with LawIICn 15.1 might have provided the chroniclers with a pattern which could be further exploited.⁷

Thus, if *folclagu*, *lahslit*, *ðegnlagu* and *unlagu* are discarded because they represent terms where the influence of the archbishop on their popularity is probable, one finds that Wulfstan used almost twice as many different types of complexes as the non-Wulfstanian texts.

8.1.2 THE *GRID* WORD-FIELD

The simplex *grid* is also attested in *OEC* before Wulfstan started to compose his works. Thus, as explained above, 4.1.1.2, it appears in LawIIIAtr 1, 1.1,

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7. Conner (1996:lxix), Cubbin (1996:liii) and O'Brien O'Keeffe (2001:lxix) agree on the fact that ChronD (Cubbin) 1052.2 derives either directly or indirectly from ChronC (O'Brien O'Keeffe) 1052. The association of the manuscript containing the C-text of the *Anglo-Saxon Chronicle* (viz. London, British Library, Cotton MS. Tiberius B.i) with Abingdon is generally accepted despite the fact that O'Brien O'Keeffe (2001:lxix), the latest editor of the text, believes the case for an Abingdon origin to be 'unproved', and suggests instead a connection of the manuscript and its annals with Christ Church, Canterbury (2001:xc–xcii). However, the specific origin of this annal under analysis is not clear. Conner includes it in his reconstruction of the so-called *Abingdon Chronicle*, but explains that it could be equally attributed to another house because it lacks 'specific Abingdon coloration' (1996:lxvi). O'Brien O'Keeffe (2001:xc–xcii) argues in favour of attributing all the annals in the C-text to Christ Church, Canterbury. While the connection of other annals with this house is more problematic, its association with the 1052-annal would link the connection between ChronC (O'Brien O'Keeffe) 1052 = ChronD (Cubbin) 1052.2 and LawIICn 15.1 with that between S 986 and LawIICn 12 and 15 (see below, 8.1.2). This link would hint at an interesting degree of familiarity with *II Cnut*. Admittedly, such familiarity could equally have been achieved at other houses thanks to the official character of the code (see above, 7.2). However, it is noteworthy that the part of Nero A.i including *I–II Cnut* may have a Canterbury origin (see Wormald 1999d:165 and 225–27) besides having a Canterbury provenance (see above, section B under 2.3.4.1). In fact, only Nero A.i includes a specific reference to Kentish law in LawICn 3.2 and LawIICn 62. Yet, Brooks (1984:266–70) and Webber (1995) do not include this manuscript in the list of the house's pre-Conquest and post-Conquest manuscripts, respectively. Wulfstan's influence in Canterbury is further suggested by the presence of some of his homilies in the mid-eleventh-century London, British Library Cotton MS. Tiberius A.iii (Ker 1990:no. 186, item 19), which is generally assigned to Christ Church.

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1.2 and 13 (as well as in the problematic LawIIEm 7.1 and Mald 35). As far as numbers are concerned, the simplex is found on almost the same number of occasions in the Wulfstanian and the non-Wulfstanian corpus: thirty-four times in Wulfstan's texts vs thirty-five cases outside them.

Table 13 summarizes the situation as regards the *grið*-complexes. It shows that the disproportion in the use of *grið*-complexes between Wulfstanian and non-Wulfstanian texts is larger than that associated with the *lagu* word-field.⁸ This disproportion becomes even greater when the uses of *griðbryce* outside the Wulfstanian corpus are analysed.

	Wulfstan's texts	Texts previous to or (near-)contemporary with Wulfstan's	
Derivatives*	Number of occurrences	Number of occurrences	1st recorded use and date outside the Wulfstanian canon
<i>griðian</i>	14	5	ChronC (O'Brien O'Keeffe) 1016.96 = ChronD (Cubbin) 1016.97 = ChronE (Irvine) 1016.86
<i>griðlēas</i>	3	0	
Compounds			
<i>cyricgrið</i>	19	1	LawNorgrið 4: ca1015 x 1050
<i>griðbryce</i>	4	6 / 17†	S 986: 1020
<i>griðlagu</i>	1	0	
<i>hælnesgrið</i>	1	0	
<i>hādgrīð</i>	1	0	
<i>handgrið</i>	9	0	
Total			
No. of tokens	52 (81.25%) / 52 (69.3%)	12 (18.75%) / 23 (30.7%)	
No. of types	8	3	

* *Ungrið* has not been included in this list because S 1098, the writ which records it, albeit purporting to date from Edward the Confessor's time, is generally considered to be spurious (see below, 8.2.1.3).

† The alternative numbers refer to the fact that some documents where this word is found in the formulaic list of privileges, viz. S 1065, S 1088, S 1089, S 1093, S 1094, S 1095, S 1109, S 1142, S 1146, S 1148 and S 1149, are generally considered to be spurious (see the entries for these charters in the *Electronic Sawyer*).

Table 13. Grið-complexes in pre-Conquest texts

8. Cp. McKinney's (1994) percentage presented in the introduction.

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All the occurrences of *griðbryce* outside the archbishop's texts are found in a formulaic list of privileges in documentary texts, the earliest of them being S 986. Wulfstan's connection with this writ lies in the nature of the writ itself and its wording. It announces that Archbishop Æthelnoth of Canterbury has been granted the judicial and financial rights which Wulfstan had demanded for him in the writ to Cnut and Ælfifu informing them about Æthelnoth's consecration:

Nu bidde ic for Godes lufon 7 eallan Godes halgan þæt ge witan on Gode þa mæþe 7 on þam halgan hade þæt he mote beon þære þinga wyrþe þe oþre beforan wæron, Dunstan þe god wæs 7 mænig oþer þæt þes mote beon eall swa rihta 7 gerysna wyrðe (S 1386 4–7).⁹

Thus, Æthelnoth is informed in S 986 3–7 that Cnut has

geunnen him þæt he beo his saca 7 socne wyrðe 7 **griðbryces** 7 hamsocne 7 forstealles 7 infangenes þeofes 7 flymena fyrmðe ofer his agene menn binnan byrig 7 butan 7 ofer Cristes cyrcean 7 ofer swa feala þegna swa ic him to lætan hæbbe.¹⁰

The importance of these two documents for Æthelnoth himself is attested by the fact that, during the first half of the eleventh century, they were included in the MacDurnan Gospels (London, Lambeth Palace MS. 1370, fos. 69^v and 114^v, respectively), the archbishop's own gospel-book.¹¹

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9. 'Now I pray for the love of God and for all God's saints that you may show respect to God and to the holy order so that he may be entitled to all those things which the others before him were, Dunstan, who was good, and many others; that this man may also be entitled to rights and honours'.
 10. 'Granted him that he shall be entitled to his sake and soke, and to [fines for] breach of peace and attack people's houses and assault, and to [the right to judge] the thief caught on his land, and to [the fine for] harbouring outlaws, over his own men within the borough and outside, and over Christ Church, and over as many thegns as I have allowed him to have'.
 11. On this manuscript, see Keynes (1985:153–59) and Ker (1990:no. 284). The only other source where these documents are recorded is the eighteenth-century manuscript London, British Library, Add. 14907.

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The wording of the writ reveals a close connection between the list of privileges granted to Æthelnoth and *II Cnut*.¹² As explained above, 4.1.2.2, LawIICn 12 lists the privileges and rights which the king has over his subjects from Wessex: 'mundbryce 7 hamsocne, forsteal, 7 flymena fyrmðe 7 fyrdwite'.¹³ LawIICn 15 attributes the king the following privileges in the Danelaw: 'fihtewita 7 fyrdwita, gryðbryce 7 hamsocne'.¹⁴ The phrase *flymena fyrmð* 'harbouring of outlaws' and the coordination of *fihtwite* 'fine for fighting' and *fyrdwite* 'fine for evading military service' are not recorded in any text previous to *II Cnut* and S 986, although the echoing compounds appear on their own in previous texts: LawIne 51 contains *fyrdwite* and LawIIEm 3 *fihtwite*. Harmer (1989:73) notes the rarity of the use of these terms, and indicates that the granting of the right to *hāmsōcn*, *griðbryce* or *mundbryce*, *foresteall* 'fine for waylaying on the highway', *fihtwite*, *fyrdwite* and *flymena fyrmð*, as well as the granting of *infangeneðeof* 'right to judge a thief caught in one's jurisdiction', is not frequent in Anglo-Saxon writs, while the granting *fihtwite* and *fyrdwite* is particularly rare.

The existence of a royal chancery during the tenth and eleventh centuries is a highly debated topic among Anglo-Saxon historians.¹⁵ Keynes (1980 and 1990) is one of the main advocates of its existence. In his opinion, the production of the documentary materials was in most cases consequent to the meeting of the *witan*, which implies that the office producing them was able to follow the *witan*. Chaplais (1965–66 and 1995), on the other hand, denies its existence, and prefers to assign these documents to ecclesiastical scribes, who worked on the basis of the oral message delivered on the king's behalf at the *witenagemot* or a shire-meeting. Insley (1998) maintains a

12. Harmer (1989:17) also highlights the connection between writs and other texts: e.g. the protocol from S 985 (1017 x 1020) appears again in Cnut's proclamations from 1020 and 1027. On the connection between the wording of a legal code and royal diplomas, see further Keynes (1980:112).

13. '[The payments for] violation of a special protection, and for attacks on people's houses, for assault and for harbouring outlaws and for evading military service'

14. 'Fines for fighting, evasion of military service, violation of a special protection and attacks upon people's houses'.

15. See Insley (1998:177–84) for a summary and evaluation of the main points presented by those involved in the debate.

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conciliatory approach, which Keynes (1980:28, 82–83 and 120–25) had already suggested. According to this view, ‘production by, or on behalf of, the beneficiary could exist alongside production by scribes acting on behalf of the king’ (Insley 1998:183). Whichever view one supports, it is undeniable that the wording of the document had, at least, some connection with the wording in the original declaration. Taking into account the special connection between Wulfstan and Cnut, Wulfstan’s interest in the whole issue and the lexical similarities between *II Cnut* and S 986, it is reasonable to hypothesize that Wulfstan may have influenced the wording of the grant which S 986 records. It is important to remember Wulfstan’s own connection with the writing of charters (see above, 1.1.1.2 and 5.3.3).

One may want to establish a direct connection between S 986 and the wording in *II Cnut* because, according to Ker (1990:no. 284), the grant, as we have it now, was written by the same hand as two other grants by Cnut to Archbishop Æthelnoth from 1035 (viz. S 987 and S 988). However, different possibilities highlight the difficulty of a straightforward connection: (1) S 986 could actually have been written in 1020 because the scribe could have been particularly careful and conservative, and may not have let the temporal gap show in his writing. (2) Even if S 986 was written *ca*1035, the scribe could have copied it from an original (now lost) contemporary with the 1020 grant. Moreover, as Lawson explains, ‘the technique of tracing documents by comparing their wording is obviously rendered hazardous by the unknown number which have not survived, and may have spoken differently if they had’ (1993:243; cp. Keynes 1980:18). What appears to be a close connection between two texts may simply be an unfortunate example of the loss of other texts recording the formulaic legal language under discussion.

Nevertheless, despite these caveats, evidence seems to be strong enough in this case to support the claim that it was Wulfstan’s language that influenced the first recorded use of *griðbryce* outside his corpus, and this should be seen as a further contribution to the popularity of the term. In this respect, it may be significant that the document which is likely to be the second authentic text to include *griðbryce* outside Wulfstan’s works (viz. S 1091, 1042 x 1050) comes again from Canterbury, albeit this time from St Augustine’s Abbey.

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8.1.3 THE OTHER WORD-FIELDS

The comparison of the Norse-derived terms from other legal word-fields in the Wulfstanian and non-Wulfstanian texts shows that the disproportion in numbers is, in this case, clearly favourable to the non-Wulfstanian texts. Table 14 presents the results of this comparison.

	Wulfst. Texts	Texts previous to or (near-)contemporary with Wulfstan's	
	Number of occur.	Number of occur.	1st recorded use and date outside the Wulfstanian canon
Miscellaneous word-fields			
<i>cost</i>	1	6	JnHead (Li) 37: ca950 x 970*
<i>cyrīcrēn</i>	1	0	
<i>drīncelēan</i>	1	1	LawNorthu 67.1: ca1028 x 1060
<i>hāmsōcn</i>	4	14 / 32†	LawIIEm 6: ca943 x 946
<i>hūstīng</i> 'tribunal, court' (< OE <i>hūs</i> + OE <i>ðīng</i> ; cp. ON <i>húspīng</i>)	0	4	ChronC (O'Brien O'Keeffe) 1012.11 = ChronD (Cubbin) 1012.11 = ChronE (Irvine) 1012.10
<i>landcōp</i> 'a fine paid to the lord on the alienation of the land' (OE <i>land</i> + ON <i>kaup</i> ; cp. ON <i>landkaup</i>)‡	0	2	LawIIIAtr 3: ca981 x 1112 (997?)

* This is the date which Ross et al. (1960:32) assign to the glosses to the Lindisfarne Gospels.

† The alternative numbers correspond to the rejection or acceptance of the cases of *hāmsōcn* in the following spurious documents: S 357, S 499, S 783, S 1065, S 1088, S 1089, S 1093, S 1094, S 1095, S 1098, S 1109, S 1137, S 1142, S 1146, S 1148, S 1149, S 1150 and S 1152. On the first three, see above, 5.4.2; on S 1098, see below, 8.2.1.3; on S 1137, S 1150 and S 1152, see the entries in the *Electronic Sawyer*; on the rest, see above, note to *grīðbryce* in Table 13. All the occurrences of this term outside the Wulfstanian corpus are found in the formulaic list of privileges, except for LawIIEm 6 and LawIVATR 4.

‡ On the specific meaning of this term in LawIIIAtr 3 and LawNorthu 67.1, see further Neff (1989:289–90) and Steenstrup (1882:193), who prefers to interpret it as a fine paid to the king by one exiled, one of the meanings of ON *landkaup* (e.g. Frost. III.21).

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<i>n[ā/ǣ]m</i>	1	0	
<i>nīðing</i> ‘wretch, villain, outlaw’ (< ON <i>níðingr</i>)	0	3	LawIVatr 7: <i>ca</i> 991 x 1002*
<i>ungylde</i> †	0	1	LawIVatr 4: <i>ca</i> 991 x 1002‡
<i>walrēaf</i> ‘spoil of the slain’ (< OE <i>wælrēaf</i> ; cp. ON <i>válróf</i>)°	0	1	LawWal 1: <i>ca</i> 910 x 1060
<i>Crafian</i> word-field			
<i>crafod</i> ‘summoned’	0	1	LawBecwæð 3.1: <i>ca</i> 1020 x 1060
<i>un(be)crafod</i>	1	1	LawIIIAtr 14: <i>ca</i> 981 x 1112 (997?)
<i>Cwyddian</i> word-field			
<i>cwydd</i> ‘contested, disputed’	0	1	LawBecwæð 3.1: <i>ca</i> 1020 x 1060
<i>uncwydd</i>	1	2	LawIIIAtr 14: <i>ca</i> 981 x 1112 (997?)

* Wormald, however, notes that *IV Æthelred* may contain as many as three elements ‘none demonstrably of Æthelred’s time’ (1999d:320); see Lawson (1993:204–64) for an argument in favour of attributing the code to Cnut’s time. *Nīðing* is also recorded in LawWal 1 (*ca*910 x 1060) (see below, the note to *walrēaf* in this table) and ChronC (O’Brien O’Keeffe) 1049.36.

† Peters (1981b:91), following, implicitly, Steenstrup’s (1882:356–57) opinion, suggests that the adjective *ungylde* ‘not entitled to compensation’ (LawIIatr 3.4 and LawIVatr 4) should be associated with ON *liggi í úgildum akri* ‘shall lie in an unatoned grave’ (e.g. SkL 215). LawAf 1.5 is the first context to record the expression ‘licge orgilde’ (‘shall lie without compensation’) (> LawIIatr 3.4), and this may have contributed to Wulfstan’s use of the synonymous ‘licge ægilde’ in LawEGu 6.7, LawVAtr 31.1 = LawVIAtr 38, and LawIICn 48.3 and 62.1. Accordingly, the present work agrees with Hofmann’s (1955:§266) view that only in LawIVatr 4 (‘iaceat in ungildan ækre’) should one accept a loan-translation from the Scandinavian expression.

‡ See, however, above, in the notes to this table, on the date of *IV Æthelred*.

° This form shows the replacement of OE /æ/ with ON /a/. This replacement is in keeping with the context in which the term appears: ‘Walreaf is nīðinges dæde’ (‘spoiling the slain is an outlaw’s deed’).

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Fēlaga word-field			
<i>fēolaga</i> ‘partner, fellow’ (< ON <i>fēlagi</i>)*	0	4	Inscr 52 (Ok 138) 1: ‘late tenth to eleventh century’†
<i>fēolagscipe</i> ‘fellowship’(ON <i>fēlagi</i> + OE <i>scipe</i>)	0	2	S 1531 31: 1043 x 1045
Feste word-field			
<i>feste</i> ‘pledge, agreement, covenant, security’(< OWN <i>festa</i> and OEN <i>fæst</i>)‡	0	2	Ch Peterbor (Rob 40) 2 and 10: 963 x 992°
<i>fēstermenn</i> ‘foster-men, bondsman, security’ (< OE <i>fēster/fōster</i> + OE <i>menn</i> ; cp. OWN <i>festarmaðr</i>)□	0	28	S 1448 57: 963?

* In the form *fēolaga*, ON *fē* ‘property’ has been replaced by its English cognate, viz. *feoh* (dat. sing. *fēo*; cp. Björkman 1900–02:295, note 4). This could be taken as evidence in favour of the mutual understanding of Old English and Old Norse speakers (see above, note 13 in Chapter 2), but see also Wollmann (1996:236) for a different explanation for the origin of the diphthong. S 1531 27, 29 and 31 have <felaga> / <felawes> and <felagescipe> instead, which could exhibit a form closer to the Scandinavian term, or, more likely, the effects of eleventh-century monophthongization (see Hogg 1992b:§§5.206–14); cp. the various cases of <erl> for *eorl*, and <fre> for *frēo* in the same text.

† This is the date provided by Okasha (1971:126–27, no. 138). *Fēolaga* is recorded as well, amongst other contexts, in ChronD (Cubbin) 1016.92, which is likely to be an interpolation from the time of compilation of the D-text; the interpolation may, however, record the actual terms used in the agreement between Cnut and Edmund Ironside near Deerhurst (see Pons-Sanz forthcoming 2).

‡ This term is not recorded either by Bosworth & Toller (1898–1972) or Clark Hall (1960). The definition provided here is that which Clark Hall (1960:s.v. *wedd*) gives for the native synonym *wedd*.

° This is the date which Robertson (1956:330) assigns to the transactions recorded in this document, but she does not explain when the actual writing of the text may have taken place.

□ The meaning of this loan is that of ON *festumaðr* ‘bail, surety’, but its form can be explained by either the fact that its determinant is OE *fēster* / *fōster* ‘sustenance’, or, as preferred by Hofmann (1955:§213), by the fact that it relies on OWN *festarmaðr* ‘betrothed man’. ON *festar* is the genitive of ON *festr*, which is normally used in Old West Norse in the plural with the meaning ‘engagement’. In Old Swedish *festr* had the corresponding term *fæst* ‘bail, surety’. This meaning in Old West Norse was expressed with the weak feminine noun *festa*. OWN *festa* and OEN *fæst* are represented by OE *feste*.

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<i>Māl</i> word-field			
<i>formāl</i> 'negotiation, agreement, treaty' (< ON <i>formáli</i>)*	0	2	LawIIAtr 1: 991
<i>friðmāl</i> 'article of peace' (< OE <i>frið</i> + ON <i>mál</i> ; cp. ON <i>friðmál</i>)	0	1	LawIIAtr Prol: 991
<i>māl</i> 'suit, cause, case, action, terms, agreement, covenant, pay' (< ON <i>mál</i> and ON <i>máli</i>)	0	4	ChronC (O'Brien O'Keeffe) 1049.42†
<i>māldæg</i> 'agreement, covenant, settlement' (< ON <i>máldagi</i>)‡	0	1	S 1531 36: 1043 x 1045
<i>sammæle</i> 'agreed, accordant, united' (< ON <i>sammála</i>)	0	6	LawIIIAtr 13.2: ca981 x 1012 (997?)
<i>wiðermāl</i> 'counter-plea, defence' (< ON <i>viðrmæli</i>)◦	0	2	ChronD (Cubbin) 1052.1.41–42 and 47

* In LawSwer 1 (ca920 x 1050) this word appears with a form closer to the Old English cognate, viz. 'formæl'.

† The collocation in which the simplex appears in ChronE (Irvine) 1052.59, 'þær bær Godwine eorl up his mal' ('there Earl Godwin brought up his case'), is probably a loan from ON *bera upp mál* 'to state the grounds for an action' (e.g. Frost. XV.7), as explained by Björkman (1900–02:103), Olszewska (1933:78 and 83) and Hofmann (1955:§368).

‡ In fact, as noted by Hofmann (1955:§323), the whole phrase in which this word is inserted, 'to mund and to maldage' ('as a marriage payment and in accordance to the contract'), could represent ON *mundr ok máldagi*, which has the same meaning (e.g. Gul. 25 and 27). As explained above, 4.1.2, OE *mund* originally had the meanings 'hand' and, closely related to it, 'protection', whereas the meaning 'money paid by the groom to the bride's father or gift by the groom to the bride' should be interpreted as a semantic loan from ON *mundr* id.

◦ Hofmann (1955:§359) and Olszewska (1933:78), following Steenstrup (1882:181), explain that the collocation *cuman tō wiðermale* (ChronD [Cubbin] 1052.1.41–42 and 47) is itself a loan from ON *koma til viðrmæles* 'to make one's counter-plea', which is recorded in a fifteenth-century manuscript of the Jutish Law (MS. A15 in DGL II). The other manuscripts of the code have the synonymous expression *koma til genmæl* instead (JL II.107).

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<i>Sac</i> word-field			
<i>sac</i> 'accused, guilty' (< ON <i>sekr</i>)	0	1	LawIIIATR 3.1: <i>ca</i> 981 x 1112 (997?)
<i>saclēas</i> 'innocent, unmolested, safe' (OE <i>sacu</i> / ON <i>sak</i> + OE <i>-lēas</i> ; cp. ON <i>saklaus</i>)	0	6 / 10*	MtGl (Li) 28.14 and JnGl (Li) 15.25: <i>ca</i> 950 x 970
<i>unsac</i>	1	1	LawBecwæð 3.1: <i>ca</i> 1020 x 1060
<i>Seht</i> word-field†			
<i>seht</i> n. 'settlement, arrangement, agreement' (< ON <i>sætt</i>)	0	13	S 1460 25, 27 and 31: 1010 x 1023 (1023?)
<i>seht</i> a. 'reconciled, agreed, at peace' (< ON <i>sáttr</i>)	0	4	S 1474 4: 1045 x 1046
<i>twyseht</i> 'disunited, discordant' (< OE <i>twy</i> + ON <i>sáttr</i>)	0	2	LibSc 63.15: <i>ca</i> 1000 x 1050
<i>unseht</i> n. 'discord, disagreement, quarrel' (< OE <i>un-</i> + ON <i>sætt</i> ; cp. ON <i>úsætt</i>)	0	2	ChronE (Irvine) 1052.67
<i>unseht</i> a. 'not agreed, hostile' (< OE <i>un-</i> + ON <i>sáttr</i> ; cp. ON <i>úsáttr</i>)	0	0 / 1	Prog 5.2 (Warn) 13: <i>a</i> 1150‡

* The alternative numbers refer to the rejection or acceptance of the uses of this word in the spurious documents S 951 and S 1110 (see *Electronic Sawyer*, nos. 951 and 1110).

† Given that OE *unsehtnes* 'discord, quarrel' is attested already in one of the so-called Vercelli Homilies (viz. HomU 6 [ScraggVerc 15] 9), it seems likely that the Wulfstanian OE *sehtan* 'to reconcile' and the derivatives and compounds based on it have a native origin. The case of OE *seht* 'settlement; reconciled', is not as clear, though, and that is the reason for the inclusion of the word-field in this list.

‡ This prognostic is recorded in London, British Library Cotton MS. Vespasian D.xiv, which Ker (1990:no. 209) dates *ca*1150; thus, the two alternatives refer to whether this text should be assigned to the post- or pre-Conquest period, respectively.

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Total^o			
Number of tokens	11 (8.5%)	118 / 141 (91.5%)	
Number of types	8	29 / 30	

- The words previously understood to be Norse-derived loans but whose Scandinavian origin is more than doubtful have not been included in this section; the etymology of these terms is discussed in my forthcoming in-depth analysis of the Norse-derived terms recorded in Old English texts. Because of the different alternatives proposed in the table, the percentages only refer to the first alternative, here believed to be more likely.

*Table 14. Norse-derived terms from other word-fields
in pre-Conquest texts*

The summary of the Norse-derived legal terms in Anglo-Saxon texts previous to or near-contemporary with Wulfstan's makes the significance of his works in the development of the *lagu* and *grið* word-fields evident. Table 14 shows that his use of terms outside these fields is much less important. Therefore, the *lagu* and *grið* word-fields appear as the most obvious areas in which any research into Wulfstan's influence on the legal language of late Old English and Middle English should be conducted.

8.2 WULFSTAN'S INFLUENCE ON LATER TEXTS

8.2.1 THE *LAGU* WORD-FIELD

8.2.1.1 *SEMANTIC WIDENING OF THE SIMPLEX LAGU*

Almost thirty years ago, Godden (1978:214–17) highlighted the important role played by Wulfstan in Ælfric's adoption of *lagu*. He pointed out that, while this loanword is missing from the *Catholic Homilies*, composed in the early 990s, it is used three times in Ælfric's *Grammar*, *Lives of Saints* and the paraphrase of the story of Esther (see Assmann 1964:no. 8). These uses are, however, occasional, and only refer to secular laws. Yet, not long before Ælfric became abbot of Eynsham in 1005, he started to employ *lagu* much

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more frequently and as a clear synonym of *ǣ(w)* (see above, 8.1.1). Godden noticed that, significantly, this lexical change ‘began at about the same time as our first evidence of contact between Ælfric and Wulfstan, who uses *lagu* very regularly’ (1978:216–17).

More than a decade passed until Wulfstan's role in the spread of this loanword was more assertively stated by Fischer (1989) (see above, 3.1). His article concentrates on Wulfstan's role in the widening of the semantic spheres where the simplex *lagu* could be employed, without making any further reference to Wulfstan's collocations, complexes or compounds based on this term. Nonetheless, the study of these aspects reveals that Fischer's choice was very appropriate because that continues to be Wulfstan's most important contribution to the history of this word-field, together with his role in the popularization of some complexes and collocations, of which *unlagu*, *lahslit* and *Dena lagu* are the most important from the legal and historical points of view.

8.2.1.2 SEMANTIC WIDENING OF THE OTHER MEMBERS OF THE LAGU WORD-FIELD

A. Derivatives

Chapter 3 has shown that Wulfstan employed *lahlic*, *lahlice* and *lagian* with a religious meaning only once. Although the contexts where the secular and religious spheres are mixed in his canon through the alternation between *ūtlah* / *ūtlaga* and *āmānsumad* are more numerous, they tend to be concentrated in the later years of his career. This usage leaves the semantic widening of *lagu* itself as the clearest factor behind the use of these complexes in later texts to refer to a religious sphere.

Ūtlagian shows the effects of this semantic widening already in Ælfric's later homilies: ‘Ic spræc þas þing to eow þæt ge ne beon geæswicode. Hi **utlagiað** eow of heora gesamnungum’ (ÆHom 9 12–14).¹⁶ In Middle English the semantic extension of *ūtlagian* and *ūtlah* / *ūtlaga* progresses

16. ‘I have told you these things so that you are not fooled. They shall expel you from their congregations’. Wulfstan's first use of *ūtlah* / *ūtlaga* with a religious meaning appears in *VIII Æthelred*, which should be assigned to 1014, whereas, as explained in the note to *ūtlagian* in Table 12, Pope (1967–68:147–48) dates this homily 998 x 1005.

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even further, and they can refer to banishment or proscription in general; e.g. *MED* (s.v. *outlaue*, adj.) quotes the following example from *Hali Meidenhad* (ca1225 [ca1200?]): ‘ef þu hauest, wið meiðhad, meokelec & mildschipe, godd is in þin heorte, ah ef þer is ouerhohe oðer ei prude in, he is **utlahe** prof’ (36/627) (cp. *MED*, s.v. *outlauen*, sense c).¹⁷ Despite having a purely legal sense in Wulfstan’s works, as well as in the contexts where it appears in late Old English and early Middle English (e.g. ChronC [O’Brien O’Keeffe] 1050.2 and LawHn 11.1a), *inlagian* was finally influenced by the semantic widening of its antonym in later Middle English texts; e.g. *MED* (s.v. *inlauen*) quotes the following fragment from the *Life of St Cuthbert* (ca1450?): ‘þe same bischope [...] Fra his kirke was putt in exile; **Inlawde** he was at thre ere ende’ (7995).¹⁸

Even though *lahlic*, together with *bōt*, already renders the ‘satisfactione legitima’ (‘legitimate satisfaction’) which needs to be done as penitence for one’s guilt in LibSc 9.49, neither *lahlice* nor *lagian* appear in a religious sphere in Old English texts outside the Wulfstanian canon. Curiously, all the examples of the verb quoted by *MED* (s.v. *lauen*) refer to that sphere.¹⁹

As explained above, 8.1.1, Wulfstan’s frequent use of *unlagu* must have played a fundamental role in the popularization of this word. Thus, the compound <unlagagelde> ‘unlawful tribute’ occurs already in ChronE (Irvine) 1090.19. Its meaning also became wider, with much stronger moral connotations being associated with it; e.g. *MED* (s.v. *unlaue*, n.1, sense a) quotes the following passage from the *Life of St Juliana* (ca1225): ‘Bireowseð ower sunnen & lasseð wið soð schrift & wið dedbote; leaueð

17. ‘If with maidenhood you have meekness and mildness, God is in your heart, but, if there is presumption or any pride, he is an outlaw from it’. The quotations of Middle English texts follow those in *MED*. Therefore, no bibliographical references are given for them.

18. ‘The same bishop was sent in exile from his church; he was freed from exile three years later’.

19. In fact, ME *lauen* did not have much vitality. The concept of instituting a law was more commonly expressed by the verb *leien* (OE *lecgan*) (see below, 8.3), the verbs already used in Anglo-Saxon legal texts, viz. *setten*, *rēden* and *māken*, and the Old French loanword *ordeinen*; see *MED* (1952–2001:s.vv. *setten*, sense 14e; *rēden*, v.1, sense 8c; *māken*, v.1, sense 10d; *ordeinen*, senses 6a and 6e).

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ower **unlahen**' (64/558).²⁰ However, *OED* (s.v. *unlaw*, n.) indicates that the use of this word after the fourteenth century is only occasional, which may respond to the fact that the pejorative sense of the prefix was only maintained in a few words (many of them Old English survivals), its usual force being simply negative (see *OED*, s.v. *un-*, prefix.1, sense 4b).²¹

B. Compounds

Compounds which may have developed independently from Wulfstan's direct influence reflect the application of the simplex to a non-secular sphere already in Old English texts: *lahbreca* renders 'sacrilegium' ('sacrilege') in LibSc 2.20, and the sequence 'muðe mid **lahbrecendum** woffigende' translates 'ore sacrilego blasphemanten [sic]' ('blaspheming with his sacrilegious mouth') in the same context.²² This usage is maintained in Middle English, as shown by the quotations provided by *MED* (s.v. *laue*, sense 1f): e.g. Wycliffe called God 'law 3euar' 'law-giver' in *An Apology for Lollard Doctrines* (74).

8.2.1.3 SURVIVAL OF WULFSTAN'S COLLOCATIONS AND COMPOUNDS CONTAINING LAGU

A. Collocations

When one thinks of the collocations where the simplex is used in Wulfstan's texts, five of them come immediately to mind: *Godes lagu*, the alliterative pair *lagu* ~ *lār*, *Dena lagu*, *lagum fylgan* / *folgian* and *laga upp* (*ā*)*rāran*.

20. 'Repent your sins, and mitigate them with true confession and with penance; abandon your evil practices'.

21. See also *MED* (s.v. *un-* pref.1) and Clark (1952–53:73). ME *unlaue* was soon superseded by the Old French loanword *injustice* and the new-formation *unlawfulness* (see *MED*, s.vv. *injustice* and *unlawfulness*).

22. Hofstetter (1987:no. 212, and 1988:156 and 159) includes the glosses to the *Liber Scintillarum* in a group of texts from Christ Church, Canterbury, dateable ca1000 x 1050. Thus, even if no direct influence of the Wulfstanian vocabulary can be identified (see Fischer 1989:111ff), the possibility that the house's familiarity with the Wulfstanian language may have contributed to the use of the *lagu*-complexes in the glosses cannot be discarded (see above, note 7 in this chapter and 8.1.2).

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The study of their acceptance outside the Wulfstanian works shows that only *Dena lagu* and *lagum fylgan* / *folgian* had a significant impact upon the legal language, even though the fifth one was not unknown during Middle English. The first and the second collocations also became widely popular, albeit outside legal practice.

Godes lagu, an exemplification of the semantic broadening of the term, is already attested in Old English outside Wulfstan's works: e.g. 'þa halgan **Godes lage** and his halgan **lare**' (ÆHom 8 17).²³ The quotations provided by *MED* (s.v. *laue*, sense 3b) bear witness to its increasing popularity in later texts.

ÆHom 8 17 shows that the alliterative pair *lagu* ~ *lār* was also particularly appealing for stylistic purposes, which must have contributed to its fast acceptance in the literary language, as shown by the quotations presented by *MED* (s.v. *lōre*, n.2, sense 2a.b): e.g.: 'Of the **lawe and lare** þat langes till halikirke' (4/29 in John Gaytryge's *The Lay Folk's Cathechism*, from 1357).²⁴

The third collocation, *Dena lagu*, still in use today in historical writing (viz. *Danelaw*), is also employed in later works. However, *MED* (s.v. *Dene-laue*) shows that, outside Wulfstan's texts, it only seems to have been widely spread after its appearance in late-eleventh or early-twelfth-century legal texts. Accordingly, Innes has suggested that, even though Wulfstan was the first author to use this collocation,

it may be that it was popularized by twelfth-century legal commentators interested in differences in regional custom, who found the term in Wulfstan's law-codes and used it in a new way, as a territorial label (2000:76–77).

As explained above, 3.1.3.1, the union of a term indicating 'decree, law' or 'command' + *fylgan* / *folgian* is very rare in pre-Wulfstanian legal texts, but it is fairly common in his works. That his audience recognized it as typically Wulfstanian is suggested by *Nap* 30, where Scragg (1977:208) and Wilcox (1992:210–11) detect the compiler's desire to Wulfstanize the text even more by adding, among others, the clause *Godes lagum fylgan* (see

23. 'The holy law of God and His holy teaching'.

24. 'Of the law and teaching which is associated with the Holy Church'.

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note 46 in Chapter 7). This collocation is also found in a spurious text purporting to date from Edward the Confessor's time, but assigned to Stephen's reign by some scholars (see *Electronic Sawyer* no. 1098):

Ælce mannum gebyrð swyðe rihte ure drihten God luuien &
 hehlice weorðien & geornlice Godes **lagum** & anrædlice **filgean** &
 ælmesdæden georne befellen þurh hwan þæt he of synbænden hine
 selfne mote alynian (S 1098 3–6).²⁵

In fact, the first part of the passage appears to have been heavily influenced by the style of the archbishop: among other lexical traits, the presence of the intensified adverbial phrase *swyðe rihte*, the series of rhyming adverbs, the use of the adverbs *georne* and *ānrædlice* and the selection of *drihten* point in this direction. The Wulfstanian collocation *Godes grið* and the complex *ungrið* (see below, 8.2.2.1), which, albeit not recorded in his works, belongs to a type frequently exploited by the archbishop, make the association even more tempting.

Wulfstan's fondness for the collocation *lagum fylgan* / *folgian* may have contributed to its use by Middle English writers (see *MED*, s.v. *folwen*, sense 4b), although one should remember that the union of *folgian* / *fylgan* with a word indicating 'decree, law' or 'command' is widely attested in Old English non-legal writing. A search in the *Corpus of Middle English Prose and Verse* assembled and distributed by the University of Michigan (hereafter *CME*) shows that the verbs which collocated most frequently with *laue* to indicate its obedience are, in fact, *hōlden*, commonly used already in Old English, *kēpen* and the Old French loanwords *maintēnen* and *obeien* (see *MED*, s.vv. *hōlden*, v.1, sense 19a; *kēpen*, sense 22a; *maintēnen*, sense 1b; and *obeien*, sense 1a). The collocation *follow the law* is still used nowadays, even though others like *observe the law*, *obey the law* or *comply with the law* may be more common.²⁶

25. 'It befits every man to love our lord God very properly and honour [Him] highly and to obey God's laws earnestly and resolutely and to set about almsgiving earnestly, [so that] through that he may deliver himself from the bonds of sin'.

26. *OED* (s.v. *follow*, v.) describes as 'obsolete' the only two contexts where *follow* is associated with *law*, viz. sense 4c 'to pursue at law' and sense 6b 'to enforce (law)'. *Law* is not mentioned in the list of words which collocate with *follow* in the sense 'to

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Only Wulfstan's works exhibit the collocation *lagu* + (*upp*) (*ā*)*rēran* during the Old English period, but it appears to have been in use throughout the Middle English period (see *MED*, s.v. *rēren*, v.1, sense 5c). Nevertheless, it has not survived in Modern English; in fact, it is not recorded by *OED* (s.v. *rear*, v.1).

B. Compounds

The study of Wulfstan's canon makes clear the archbishop's fondness for compounds containing *lagu* as one of their elements, following the general trend in Old English to create new words through composition. Wulfstan's compounds, however, did not have much appeal among later authors. Thus, *MED* (s.v. *laue*) only records *laue breche* (sense 1f) and *lahslit* (sense 6a.a). However, the glosses to the *Liber Scintillarum* suggest that the compounds with *lagu* + a term belonging to the OE *breca*n word-field may not have been unpopular in Old English. Probably, their popularity was facilitated by the already widespread *āwbryce* and *āwbreca*. *OED* (s.v. *law-breach*) gives the Wycliffite Bible as the only other context where *law-breach* is recorded, while 1876 is the last date provided for *law-breaker*.²⁷

Lahslit is only recorded in Middle English in the legal codes where the influence of the legislation attributed to Wulfstan is obvious, and it always refers to 'a fine for the breach of law in the Danelaw' (*MED*, s.v. *laue*, sense 6a). This is also the sense recorded in the seventeenth-, eighteenth- and nineteenth-century contexts quoted by *OED* (s.v. *lahslite*, *lahslight*). Thus, despite its long life-span, *lahslit* never went past its status of a very specialized legal term associated with the Scandinavian population who settled in England during the Anglo-Saxon period (i.e. it had a similar fate to *Danelaw*).

conform to, comply with, obey, act upon or in accordance with' (sense 8a). However, a search of *follow* in the online version of the *British National Corpus* (hereafter *BNC*) has attested this collocation once among the fifty randomly chosen quotations. Likewise, *OED* (s.v. *comply*, v.1) does not mention the collocation *comply with the law*, whereas a search in *BNC* retrieved it three times.

27. This is another case where the corresponding entry in *OED* needs to be updated, because a search in *BNC* retrieved <law-breaker> in five contexts, <lawbreaker> in four and <law breaker> in one.

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The lack of continuity in the compounds first recorded in the archbishop's texts could be attributed to two main factors: (1) the clear stylistic reasons for the coinage of some of them (e.g. *lahwita*); and closely associated with it, (2) Wulfstan's idiosyncratic language, which shows a clear taste for compounds and a high ability to '(re)generate' them (e.g. *rihtlagu* occasionally replaces the phrase *riht lagu*). Instead, Middle English speakers coined their own compounds: e.g. *lazhebok* is used instead of Wulfstan's *lahgewrit* (see *MED*, s.v. *laue*, sense 5d).

8.2.2 THE *GRİÐ* WORD-FIELD

As with the *lagu* word-field, the examination of the *grīð* word-field in post-Wulfstanian texts shows that his most important contribution was the semantic widening of the simplex *grīð*, a role which Fell did not fail to recognize:

Wulfstan [...] also uses the phrase *Godes grīð* 'God's peace' and anyone familiar with Wulfstan's style is bound to feel that the choice of *grīð* rather than *frið* here is determined by the alliterative value, rather than as a concept of lexical precision. It is precisely such rhetoric as Wulfstan's that spreads semantic inaccuracy, and it is indubitably owing to Wulfstan's influence that we find the growth of such rhetorical expression in the laws (1985:91–92).

The analysis of the *grīð* word-field presented in Chapter 4 has shown that Wulfstan's preference for the loanword may not respond only to stylistic reasons, but this does not undermine the validity of Fell's statement as regards Wulfstan's contribution to the semantic expansion of *grīð*. One should not forget either that the verb *grīðian* appears to have reached in his corpus a step further than the simplex in the equalization of the *grīð* and *frið* word-fields. Besides this general contribution, Wulfstan had a pivotal role in the use of *grithbriche* and *chirchegrith* in Middle English texts, and it is likely that the influence of his lexical choices reached even outside the English world.

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8.2.2.1 SEMANTIC WIDENING OF THE SIMPLEX GRID AND THE OTHER MEMBERS OF ITS WORD-FIELD

Outside the Wulfstanian corpus and *Nap* 37, which is made up of fragments from his works, the collocation *Godes grið* is not found in Old English until ChronE (Irvine) 1048.²⁸ However, the popularity of this phrase to refer to God's grace, favour or mercy increased to a large extent in Middle English, as *MED* (s.v. *grith*, sense 5b) and *CME* show.

Thus, the semantic widening attained by the simplex and the verb *griðian* was fundamental for the creation of new complexes in this word-field, as the respective entries in *MED* for the following words indicate:

- (1) *ungrith* is recorded with the sense 'hostility, dissension, discord' in the spurious charter S 1098 (see above, 8.2.1.3) and in the *Ormulum* (ca1200?);
- (2) *grithful*, first recorded in Laȝamon's *Brut* (ca1275, a1200), did not mean 'protective', but '[o]f persons, peaceable; serene; of words, peaceful, conciliatory';
- (3) *grithfulnesse* is only recorded in *Ancrene Wisse* (ca1230, a1200?), where it has the meaning 'peacefulness, serenity';
- (4) the homonymous adjective and adverb *grithliche* are only recorded in Laȝamon's *Brut*, where they mean '[o]f speech: peaceful, conciliatory' and 'peacefully', respectively.

8.2.2.2 SURVIVAL OF WULFSTAN'S GRID-COMPOUNDS

Wulfstan's idiosyncratic lexical practices are likely to be the reason for the fact that neither the derivative *griðlēas*, nor the compounds *handgrið*, *hālnesgrið* and *hādgrīð* are recorded anywhere else besides his texts, even though LawECf 12 refers to the concept implied by *handgrið* with an expanded expression (similar to that in LawIIIATR 1): 'Pax regis multiplex est: Alia data manu sua, quam Angli uocant *kinges hand salde grid* [sic]'.²⁹

28. *Godes grið* is also recorded in two spurious charters purporting to date from Edward the Confessor's time, viz. the above-mentioned S 1098 and S 1110 (see above, 8.2.1.3 and note 42 in this chapter).

29. 'There are many types of the king's peace: one is given by his hand, which the English call *kinges hand salde grid*'. O'Brien (1999:45ff) dates this code ca1136, when Stephen's charter of liberties was granted to the Church.

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The only Wulfstanian compounds which escaped oblivion are *cyricgrið* and *griðbryce*. During the Old English period the compound *cyricgrið* is only recorded in works associated with Wulfstan, either directly or indirectly. *MED* (s.v. *chirche*, sense 9c) shows that the compound *chirchegrith* was still used in Middle English with the meaning 'right of sanctuary offered by a church'. It occurs in Lazamon's *Brut* and *Ancrene Wisse*, while *Cursor Mundi* (29250) prefers the phrase *kirkes grith*. Its vitality seems to have decreased after the fourteenth century: *OED* (s.v. *church-grith*) gives *Cursor Mundi* (a1300) as the last context recording the compound or the phrase with the two terms.

Griðbryce had a much longer life, to which its formulaic use outside the Wulfstanian corpus must have contributed significantly. However, Wulfstan's language is likely to have been determinant in its first occurrence in documentary material, i.e. in S 986, and, in general, in its popularization. *MED* (s.v. *grith-brice*) indicates that it was only after 1200 that this term referred to any breach of the peace, together with the older meaning 'disturbances or violence committed towards persons, at places, or during specific periods that were under special protection of the king'. *OED* (s.v. *grithbreach*) records its general use last in the seventeenth century, although it also includes an entry from the nineteenth century referring to the Anglo-Saxon legal system.

8.2.2.3 WULFSTAN'S INFLUENCE ON OLD NORSE

Wulfstan's influence on the widening of the sense of *grið* and the development of the compound *cyricgrið* may not have been restricted to England. It seems to have reached Scandinavia, where the 'extended meaning' referred to by Fell (1985) appears to have been adopted. Von See (1964:172) explains that, by the time when the Scandinavian legal codes started to be written, the term *grið* was losing popularity, not only because of the existence of the quasi-synonymous term *friðr*, but also because the idea of a state, with a centralized power, was gaining more importance, whereas external legal powers were being reduced. Therefore, there was less need for the assurance of safe-conduct, the restricted sense in which *grið* had

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previously been used. Thus, in the East Scandinavian codes *grið* is not frequently employed.³⁰

The influence of the English Church in Scandinavia and, in particular, Norway seems to have reinvigorated this term, besides giving it a new perspective in keeping with the use of compounds like *cýricgrið*, *hādgrīð* and *hēlnesgrið* in Wulfstan's texts.³¹ Adam of Bremen records that English missionaries went to Denmark and Norway (see Tschan 2002:92–95), and Taranger (1890:210–17) argues that one of them, Bishop Grimkil, is likely to have incorporated parts of *V Æthelred* and *VI Æthelred* in the Norwegian ecclesiastical laws (cp. Helle 2001:180–82; and Sawyer 2006). If that was the case, in these codes the missionaries and any other person with understanding of Old English would have read about the need for churches and widows to be under 'Godes grið 7 on ðæs cynges' (LawVAttr 10.1 = LawVIAttr 13 and LawVAttr 21 = LawVIAttr 26);³² and about the equation between the importance of the inviolability of the protection granted by a church (*cýricgrið*) and the king (*handgrið*) (LawVIAttr 14). Cnut's power over Norway and Denmark might also have contributed to the transmission of the English vocabulary to Scandinavia.

Lack of familiarity with the expanded sense of *grið* as well as its application to new contexts may be the reasons for the alternation between

30. E.g. VgL II F 12 stipulates that, if a woman kills a man, 'skal hun **frīð** hauæ til skogs daghs ok nater' ('she shall be granted peace for a day and a night to flee to the woods').

31. See King (1962), Birkeli (1971), Sawyer (1987:82), Lawson (1993:213), Sawyer & Sawyer (1993:100–12), Abrams (1995), Jørgensen (1996) and Nyberg (2004:197–208) on the influence of the English Church in the conversion and early years of Christianity in Scandinavia. Harmer (1950:144ff and 1989:4–5) comments on the influence which the Anglo-Saxon writ appears to have had in Norway, while Turville-Petre (1960) analyses the importance of Anglo-Saxon missionaries for the transmission of homiletic materials to Scandinavia. Olszewska (1945:241) also notes that the expression *blæc and bōkfell*, only recorded in WCan 3, was borrowed in Old West Norse in the form *blek ok bōkfell*, which had a meaning similar to 'scrap piece of paper' (cp. Carr 1939:34 and 136). GKS 1595 4°, one of Wulfstan's commonplace books including his homilies *WHom 1a* and *WHom 8a*, made its way to Denmark. This might have happened after Evesham created a daughter-house in Odense ca1095–96 (see King 1962:147ff; and Tunberg 1993a:61–62).

32. 'The protection of God and the king'.

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kirkjugrið 'church-peace, sanctuary' and *kirkjufriðr* id. in Frost. II.10. Similarly, *jólafriðr* 'Yule-peace, sanctity' (e.g. Bj. 135) appears to be older than *jólagrið* id. (e.g. MLL IV.18). Yet, the oldest expression to refer to the period around Yule during which legal cases should not be conducted appears to have been *jólahelgr* (e.g. Gul. 18, Frost. II.34 and Eids. I.14).

8.3 CONCLUSION

The analysis of Wulfstan's influence in later usage, like many other areas of research in Old English, has to face the problem of the scarcity of extant written records from the period. What appears to be characteristically Wulfstanian usage may in fact have been common among his contemporaries, and this emphasizes the importance of the prefix *re-* in any assertion of Wulfstan's '(re)generative' linguistic ability. In this respect, no definite assertions can be made. However, evidence, as it stands, indicates that Wulfstan's idiolect, and in particular his use of the *lagu* and *grið* word-fields, was especially influential on the generations *immediately* succeeding his own. Wulfstan's catchy phrases and compounds may have pervaded the non-technical language, with which he would have achieved the aim of any homilist: to make his words remain in the minds of his audience. The demotic acceptance of his idiolect was facilitated by the fact that Wulfstan relied on common oral stylistic devices, and that his lexical choices, albeit innovative in some aspects, followed general patterns fully recognizable by his contemporaries (see above, 1.2). That this is the case is suggested by (1) the attestation of compounds which seem to have developed independently from the language of the archbishop, but which belong to the same types as those used almost exclusively by him (e.g. *lahbreca* in the *Liber Scintillarum*); and (2) the development of terms and collocations commonly recorded in his texts beyond the patterns in which he used them (e.g. the collocation *unlage bēodan* in documentary material). From this perspective, it is difficult to distinguish between Wulfstan's personal influence and more general trends in the language. Nevertheless, as suggested by Fischer (1989) as far as the semantic widening of *lagu* is concerned, it is almost impossible to deny that his influence lies, at least, in the popularization of some terms and collocations thanks to his role as a prominent figure in late Anglo-Saxon

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England. This influence may be direct, or the result of the combination of the formulaic nature of legal language (the two aspects seem to co-occur in the non-Wulfstanian uses of *griðbryce*) and the attempt by lesser writers to make their compositions more authoritative by Wulfstanizing them with the archbishop's most obvious phrases. Forgers' need to maintain formulae and historical interest in Anglo-Saxon society also helped to keep alive some of the archbishop's collocations and compounds.

The vagueness of this suggestion is supplemented by the findings presented in Dance's recent book, which suggest a more precise way in which Wulfstan's lexical choices became influential in the south-west midlands during the early Middle English period. Dance (2003:Chapter 5) highlights the 'regional cohesion' of the Old Norse loans in his corpus, and notices that ME *loue* 'low', *bone* 'prayer', *thral* 'thrall' and *laue* 'law' appear in every textual group of his corpus (viz. *Ancrene Wisse*, the 'Katherine Group', the '*Wohunge* Group', Lazamon's *Brut*, the 'Lambeth Homilies' and the 'Worcester Fragments').³³ He claims that '[t]his is not an unimpressive statistic when one considers the diversity which these groups amongst them represent, and the barriers to shared attestation imposed by conceptual and stylistic constraints' (2003:273). Dance highlights the fact that Lazamon's *Brut* and *Ancrene Wisse* record *chirchegrith*, an uncommon compound. He (2003:300–304) hypothesizes that the importance of Worcester as 'one of the main bastions of the copying of English manuscripts' may have been fundamental for this distribution. The inclusion of Cnut's law-codes and other members of the Wulfstanian canon among the texts copied in the bishopric, Dance argues, is tempting because Wulfstan's other see, York, did not have the infrastructure necessary to be one of the main copying centres.

Thus, vague and precise explanations help shape our understanding of the lexical influence of one of the most important figures in eleventh-century pre-Conquest England. The arrival of the new ruling elite made the survival of his lexical choices more difficult, not because they were (Anglo-) Scandinavian, but because they were not French (see Brand 2000). It was mainly thanks to the semantic broadening of these terms and their use outside purely legal language that they had a chance to survive (cp. Olszewska 1936:155).

33. For a thorough explanation of these textual groups, see Dance (2003:Chapter 2).

CONCLUSION

Wulfstan's works are characterized by a mixture of tradition and personal innovation, where innovation, albeit strongly based on tradition, arises from the need to serve the archbishop's homiletic and legal interests. Tradition and innovation apply both to the ideas developed in his texts and the vocabulary used to express them. The following decree summarizes some of these tendencies: 'Swa micel is þæs wergildes on folces folcrist be Myrcna laga' (LawMirce 3).¹ On the one hand, it is most likely based on a previous non-Wulfstanian composition, which Wulfstan would have adopted following his interest in establishing a well-ordered society (see above, 1.1.1.2). This appropriation left a lexical trace, represented by the 'constrained usage' of the traditional term *folcrist* as opposed to the Wulfstanian *folclagu* (see above, 3.2.5.1). Thus, any attempt at interpreting the archbishop's lexical choices should account for this constraint, which is one of the determining factors for the use of a native term instead of a Norse-derived word for which Wulfstan showed his preference otherwise (see above, 3.2.3, 4.1.3 and 6.1.1.2; cf. 5.3.3 and 6.1.3.1). On the other hand, Wulfstan, following his concern for clarity, did not hesitate to specify the area described by the decree by adding a phrase which exemplifies his ability to '(re)generate' new terms and expressions, viz. 'be Myrcna laga' (see above, 2.3.3 and 3.1.1.2). It was mainly when collocating with *Dena* that the association between *lagu* and the territorial / social division of Anglo-Saxon England became most popular. The popularity of this structure was greatly boosted by the later use of Wulfstan's compositions, which hints at the significance of his role in a society which successfully integrated the Scandinavian newcomers. Many of his lexical eccentricities, however, remained locked inside the contexts which prompted their coinage. This

1. 'So great is [the amount of] the *wergild* in the common law according to the law of the Mercians'.

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leaves his contribution to the semantic widening of the simplexes *lagu* and *grið* themselves as his most important lexical legacy (see above, Chapter 8).

The comprehensive approach presented in this work has hopefully helped to clarify several areas of Wulfstan's Norse-derived vocabulary. Two fundamental conclusions, which contradict generally accepted views on this matter, can be drawn from this approach:

(1) The study of Wulfstan's stylistic traits and his fondness for new, striking words casts justifiable doubt on the traditional identification of some of his complexes as loanblends modelled on their Old Norse equivalents (see above, 1.2, 2.3.2, 3.3 and 4.2). Instead, these terms should be interpreted as new-formations hinting at the deep integration of the borrowed material in the archbishop's vocabulary.

(2) Neither Wulfstan's contact with his Scandinavianized archdiocese, nor his possible Anglian origin can easily account for the presence of Norse-derived terms in his 'active repertoire' (see above, 7.1 and 7.2). Instead, one has to turn to other factors in order to explain this disconcerting lexical trait:

(2.a) the effects derived from the incorporation of the borrowed terms into their respective lexical fields and the possibilities of semantic precision offered by the Norse loans and their word-fields;

(2.b) the stylistic constraints in Wulfstan's texts;

(2.c) the existence of different legal, social and monetary practices in the Scandinavianized areas, with which legislators had to be familiar;

(2.d) terminological fashions and the significance of maintaining (and expanding) the legal technolact, which is in keeping with Wulfstan's concern for the balance between tradition and innovation (see above, 7.3).

As part of the analytical process followed in this work, other minor conclusions have been reached. Despite being more limited in scope, they offer additional insights into Wulfstan's decisions behind his reworking of previous texts (see above, 3.2.3). These, together with his lexical choices, can offer scholars further tools for the correct identification of the members of his canon (see above, 4.1.4).

It is the present author's hope that the void in scholarship about which Kastovsky (1992) complained more than a decade ago has been partially reduced, and that Townend's (2000) call for thorough studies on the archbishop's vocabulary has been answered. Nonetheless, the findings in this book apply mainly to the Wulfstanian canon, and much more work

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needs to be conducted on the Norse-derived vocabulary in Old English as a whole. Firstly, the list of Norse-derived terms has to be thoroughly revised, and the evidence for the inclusion of each term in the list needs to be clearly laid out so as to avoid creating a picture with an exaggerated Norse presence (cp. above, 2.3.4). Secondly, the linguistic and extralinguistic reasons behind their employment should be closely analysed. One may then be able to identify other native terms as ‘inefficient’ as *ðēow*, terms whose inefficiency aided the integration of the foreign material in English (see above, 6.1.2.1). Only by examining the Norse-derived terms in context, as far as their textual occurrences and their relations with other members of their lexical fields are concerned, and by trying to account for their presence, will we reach a deeper understanding of the borrowing process. This will, in its turn, help clarify the relations between the newcomers and the native population, and contribute towards a further understanding of the sociolinguistic intricacies in Anglo-Scandinavian England.

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WORD INDEX

This index records only terms which are either referred to or discussed in the book, not all the terms which are cited in textual quotations. The languages (and their various stages) represented in this work are arranged in the following order: Old English, Middle English, Modern English, Old Norse, 'Other Germanic languages' and 'Other languages'; the languages in the last two groups are arranged in alphabetical order. When a term only appears in a footnote in a given page, <n> follows the page number; if the term appears both in the main body of text and in a footnote, only the page number is given. Verb + noun or adjective + noun collocations are listed under the noun; noun/es + noun collocations are listed under the head noun; prepositional phrases are listed following the alphabetical order of the preposition.

OLD ENGLISH

Words are arranged following the same order as in Old English dictionaries, i.e. <æ> follows <ad> and <ð> follows <t>; the prefix *ge-* is not taken into consideration for the alphabetical arrangement of the terms. Terms are given in the West Saxon form; dialectal variants are listed together with the West Saxon variant.

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Unless otherwise specified, the terms in this section are given in their Old Icelandic form. Words are arranged following the same order as in Old Icelandic dictionaries, i.e. <ð> precedes <d>, and <þ>, <æ>, <o>, <ø> and <œ> are given (in that order) at the end; no distinction is made between short and long vowels.

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The forms in this section are arranged according to the following alphabetical order: b, b^h, d, d^h, e/ē, g, ĝ, g^h, ĝ^h, g^w, g^{wh}, H, h₁, h₂, h₃, i/ī, ĵ, k, k^w, l/l̥, m/m̥, n/n̥, o/ō, p, r/r̥, s, t, u/ū, ŷ, z (cp. Forston 2004:427).

*g ^h erd ^h -	57	*ĝ ^h er-	57
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